

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. Please submit seven (7) copies of the application. You need only submit one copy of your tax returns, one copy of your personal net worth statement, and one copy of any opinions, articles or other writing samples you wish to provide.

All inquiries should be directed in writing to Susan J. Goldberg, Circuit Executive, John Joseph Moakley United States Courthouse, 1 Courthouse Way, Suite 3700, Boston, MA 02210.

After you have completed the questionnaire, please sign it and return it to Susan J. Goldberg, Circuit Executive.

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: _____

Cell 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. Business Address: _____
City: _____ State: _____
Zip: _____ Telephone: _____
5. Residential Address: _____

City: _____ State: _____
Zip: _____ Telephone: _____
6. Marital Status: (If married, please identify your spouse's name and his or her employers for the past five years.) _____

7. Place of Birth: _____

8. Length of Residence in State of Current Residence: _____
9. In what countries do you hold citizenship? _____
10. Colleges and universities attended, dates, degrees, and class standing (if known):

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

12. Military Service:

Branch:

Dates:

Rank or Rate at Discharge:

If still a reserve or National Guard member, give service, branch, unit, and present rank:

13. 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

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

15. List any legal books or articles that you have written. Provide citations and dates.

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

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

Professional Admissions

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

Court or Administrative Body	Date of Admission
_____	_____
_____	_____
_____	_____
_____	_____

Law Practice

19. Have you been engaged in the active practice of law for at least five years?
_____ Yes _____ No

20. State the names, 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 or worked in or with. If applicable, provide periods you have practiced as a sole-practitioner.

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

21. 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.
- _____
- _____
- _____
- _____

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

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

- a. Bankruptcy Courts? _____ %
- b. Federal, District, and Appeals Courts? _____ %
- c. State or Local Courts of Record? _____ %
- d. Administrative Bodies? _____ %
- e. Other? _____ %

23. a) During the past five years, what percentage of your practice has been trial practice?
_____ %

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

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

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

Bankruptcy? %
Civil? %
Criminal? %
..... %
..... %
..... %

e) 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. Provide citations of any reported cases.

24. 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 significant matters in which you served.

Names	Court
_____	_____
_____	_____
_____	_____
_____	_____

25. Summarize your courtroom experience for the past five years.

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

Public Office

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

Prior Judicial Experience

28. 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) Please list any prior quasijudicial service:

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

Business Involvement/Financial Information/Conflicts of Interest

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 thirty days of their entrance on duty. Items 28-38 below are intended to elicit financial information similar to, although in some cases, broader in scope than, the information which all new bankruptcy judges are required to provide. With respect to items 28-31, please provide the requested information as to yourself, your spouse, your minor children, and any other members of your household.

29. List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational 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.) In addition, if you are now an officer, director, or otherwise engaged in the management of any business or enterprise, explain the nature of the business and the nature of your duties;

- 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; and

- 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.)

30. Provide a complete, current financial net worth statement that itemizes in detail the requests in 30a and 30b below. A sample net worth statement is attached for your convenience.

- 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.

31. List sources and amounts of all items of value received during the current and preceding calendar year (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).

32. Provide one copy of your federal income tax returns for each of the preceding three years.

33. 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 explain and include dates.

34. 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. _____

35. Will you sever all connections with your present employers, business firms, business associations, or business organizations, if you are selected as a bankruptcy judge? If not, please explain. _____

36. 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. _____

37. Describe all financial arrangements, stock options, deferred compensation agreement future benefits, and other continuing relationships with business associates, clients or customers.

38. Describe any business relationships, dealings, or financial transactions 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.

39. Explain how you will resolve any potential conflicts of interest.

Disciplinary Proceedings/Offenses

40. Are you currently under federal, state, or local investigation for a possible violation of a criminal statute? If so, please explain.
-
-
-
41. Have you ever been convicted for violation of any federal law, state law, county or municipal law, regulation or ordinance? If so, please explain. Do not include traffic violations for which a fine of \$100 or less was imposed unless it also included a jail sentence.
-
-
-
42. Have you ever been sued by a client? If so, please explain.
-
-
-
43. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please explain, including the amounts involved.
-
-
-
44. 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, explain and include the full style of the cause.
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-
-
45. 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, bar association, or other professional group? If so, please explain.
-
-
-
46. 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? If so, please explain.
-
-
-

Taxes

47. 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

48. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? Yes_____No_____If no, please explain.

49. Have your federal or state tax returns been the subject of an audit, investigation or inquiry at any time? If so, please explain.

50. 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

51. 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 memberships and offices held in fraternal, scholarly, civic or other organizations and clubs, other than bar associations and professional societies identified in response to Item 51a, 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.

52. 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?

53. 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

Supplemental Information

- 54. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.

- 55. State any additional education or other experiences you believe would assist you in holding judicial office. _____

- 56. Without providing details, please explain whether there currently is or has ever been anything in your personal life which you feel, if known, may be of embarrassment to the bankruptcy court if you were 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 if you were appointed as a bankruptcy judge?

- 57. 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

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

Name	Address	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

59. 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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/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

Personal Net Worth Statement

Name

Business Phone

Residence Address

Residence Phone

City, State and Zip Code

Name of Business

ASSETS		(Omit Cents)		LIABILITIES		(Omit Cents)	
Cash on hand and in bank(s)	\$	Accounts Payable	\$				
Savings Accounts	\$	Notes Payable to Banks and Others:	\$				(Describe in Section 2)
IRA or Other Retirement Accounts	\$	Installment Account (Auto) Monthly Payments	\$				\$
Accounts & Notes Receivable	\$	Installment Account (Other) Monthly Payments	\$				\$
Life Insurance-Cash Surrender Value Only	\$ (Complete Section 8)	Loan on Life Insurance	\$				\$
Stocks and Bonds	\$ (Describe in Section 3)	Mortgages on Real Estate	\$				(Describe in Section 4)
Real Estate	\$ (Describe in Section 4)	Unpaid Taxes	\$				(Describe in Section 6)
Automobile(s)-Present Value	\$	Other Liabilities	\$				(Describe in Section 7)
Other Personal Property	\$ (Describe in Section 5)						
Other Assets	\$ (Describe in Section 5)						
Total Assets	\$	Total Liabilities	\$				
		TOTAL NET WORTH (Assets – Liabilities)	\$				

Section 1. Source of Income		Contingent Liabilities	
Salary	\$	As Endorser or Co-Maker	\$
Net Investment Income	\$	Legal Claims and Judgments	\$
Real Estate Income	\$	Provision for Federal Income Tax	\$
Other Income (Describe below)	\$	Other Special Debt	\$

Description of Other Income in Section 1.

Section 2. Notes Payable to Bank and Others. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)					
Name and Address of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)	How Secured or Endorsed Type of Collateral

Section 3. Stocks and Bonds. (Use attachment if necessary. Each attachment must be identified as a part of this PNW Statement and must be signed.)					
Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned. (List each parcel separately. Use attachments if necessary. Each attachment must be identified as a part of this PNW Statement and must be signed.)			
	Property A	Property B	Property C
Type of Property			
Address			
Date Purchased			
Original Cost			
Present Market Value			
Name & Address of Mortgage Holder			
Mortgage Account Number			
Mortgage Balance			
Amount of Payment Per Month/Year (Specify)			
Status of Mortgage			
< Continued Next Page >			

Section 4. Continued - Real Estate Owned. (List each parcel separately. Use attachments if necessary. Each attachment must be identified as a part of this PNW Statement and must be signed.)

	Property D	Property E	Property F
Type of Property			
Address			
Date Purchased			
Original Cost			
Present Market Value			
Name & Address of Mortgage Holder			
Mortgage Account Number			
Mortgage Balance			
Amount of Payment Per Month/Year (Specify)			
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe, and if any is pledged as security, state name and address of lien holder, amount of lien, Terms of payment, and if delinquent, describe delinquency)

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Section 6. Unpaid Taxes. (Describe in detail, as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches).

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Section 7. Other Liabilities. (Describe in detail).

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Section 8. Life Insurance Held.

(Give face amount and cash surrender value of policies - name of insurance company and beneficiaries).

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I hereby certify that no assets have been transferred to any beneficiary for less than fair market value in the last two years. These statements are true and correct to the best of my belief.

Signature

Date

Social Security Number