

JUDICIAL EVALUATION QUESTIONNAIRE

CONFIDENTIAL

I hereby apply to the Oswego County Bar Association for a judicial rating pursuant to the Rules for the Recommendation of Judicial Candidates by the Oswego County Bar Association (hereinafter "Rules"). I consent to an investigation relating to my character, personal and professional reputation, and any other matter referred to or relating to my application. I have executed the attached waiver and I authorize the Association to transmit the waiver to the New York State Grievance Committee with a request for any records held by it regarding my conduct. 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 Rules relating to Judicial Rating, and I recognize the authority vested in the Board of Directors to interpret the Rules and action taken thereunder in a final, conclusive and binding manner. I authorize the publication of my rating unless I receive a rating of "Not Recommended" for this Judicial Office" and withdraw my candidacy within five (5) days after notification of such rating. I understand the Rule that the Judiciary Committee's recommendation of a lawyer and the review by the Board of Directors of the Association for a specific judicial office shall be limited to that office and shall remain effective for a period of twelve months unless information subsequently available to the Committee requires a reconsideration of the recommendation.

(If the answer to any question requires additional space, please continue the answer using additional sheets as necessary. Every question must be answered. If a question is inapplicable write "N/A" in the answer space provided.

Full Name: _____

Address: _____

Home Telephone Number: _____

Business Telephone Number: _____

Fax Number: _____

Beeper or Cellular Phone Number: _____

Position for Which You Wish to Apply: _____

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SECTION I: BIOGRAPHICAL INFORMATION

- A. Date of Birth: _____
- B. Mother's name: _____
- C. Father's name: _____
- D. Have you changed your name other than through marriage? (Y)_____ (N) _____
- E. Have you used a name other than the one given above? (Y)_____ (N) _____
If yes, please set forth the name(s) and explain why. _____

- F. Are you a U.S. citizen? (Y)_____ (N) _____
- G. If you are not a U.S. citizen, do you have a permanent resident alien status?
(Y) ____ (N) ____

SECTION II: FAMILY

- A. If you are currently married, provide the following:
Spouse's Name: _____
Occupation: _____
Employer Name and Address: _____

- B. If you were formerly married, provide the following for each marriage:
Spouse's Name and Occupation: _____
- C. Child Support and/or Maintenance Obligations:
 - 1. Are you current in all of your child support and/or maintenance obligations, if any?
(Y) _____ (N)____ (N/A) ____
 - 2. Are there any legal proceedings in any court pending against you for non-payment of child support and/or maintenance obligations? (Y) _____ (N) ____ (N/A) ____
 - 3. Are there any judgments against you in any court for non-payment of child support and/or maintenance obligations? (Y) _____ (N) ____ (N/A) ____
- D. Have you ever had an order of protection entered against you? (Y) ____ (N) ____
if yes, please explain. _____

E. Identify your children and provide their respective dates of birth, current address, current occupation and current employer:

1. Name: _____
Date of Birth: _____
Address: _____
Occupation/Employer: _____

2. Name: _____
Date of Birth: _____
Address: _____
Occupation/Employer: _____

F. Please identify all persons, other than your children identified above, for whom you are legally responsible or whom you deduct as a dependent on your federal income tax return. _____

SECTION III: EMPLOYMENT

A. Name of present employer(s): _____
Address: _____
Date Employment Commenced: _____
Position or Title: _____

B. If you are self-employed and/or the owner of a business, please provide the following information for yourself and/or your business(es):
Name: _____
Address: _____
Date Employment Commenced: _____
Position or Title: _____

C. Please provide the following information with respect to your employers over the last twenty (20) years:

1. Name: _____
Address: _____
Dates Employed _____ to _____
Final Position or Title: _____

2. Name: _____
Address: _____
Dates Employed _____ to _____
Final Position or Title: _____

3. Name: _____
Address: _____
Dates Employed _____ to _____
Final Position or Title: _____

4. Name: _____
Address: _____
Dates Employed _____ to _____
Final Position or Title: _____

5. Name: _____
Address: _____
Dates Employed _____ to _____
Final Position or Title: _____

D. Have you engaged in teaching law? (Y) _____ or (N) _____
If so, state when, where, and the subjects taught. _____

E. Involuntary Terminations:

1. Have you ever been fired from any job for any reason? (Y) _____ or (N) _____
If yes, please explain. _____

2. Have you ever resigned from any job after being informed that your employment would be terminated? (Y) _____ or (N) _____
If yes, please explain. _____

SECTION IV: GOVERNMENT SERVICE

A. Identify any experience in or association with any local, state or federal government entity (including advisory, consultative, honorary or other part-time service or position). Specify the dates of such service. _____

B. Identify all elective public offices which you have sought and/or held. Specify the dates of such service. _____

- C. Have you ever been removed from public employment or asked to resign for disciplinary reasons? (Y) ____ (N) _____
If yes, set forth the circumstances. _____

SECTION V: EDUCATIONAL BACKGROUND

A. College:

1. Name and address of last college attended: _____
2. Dates attended: _____
3. Did you graduate? (Y) ____ or (N) _____
 - a. Type of degree received: _____
 - b. Major or field: _____
 - c. Approximate rank in class: _____
4. List any scholarships, Fellowships, honorary degrees or any other awards that you received: _____

5. Please identify all other colleges that you attended. Specify the date of attendance and any degrees obtained: _____

B. Graduate and/or Law School:

1. Name and address(es) of school(s) attended: _____
2. Dates attended: _____
3. Did you graduate? (Y) ____ or (N) ____.
 - a. Type of degree received: _____
 - b. Major or field: _____
 - c. Approximate rank in class: _____
4. List any scholarships, fellowships honorary degrees or any other awards that you received: _____

- C. Were you ever expelled, suspended, placed on probation, or subject to any other disciplinary action while attending any of the colleges, professional schools or other institutions that you listed in sections "A" and "B" above? (Y) ____ or (N) ____
If yes, please explain the circumstances. _____

SECTION VI: PROFESSIONAL CERTIFICATIONS

- A. Please identify all professional licenses and certifications that you hold or have ever held and all courts in which you have been admitted to practice. Specify the dates and the conferring authorities. _____

- B. Has any professional license or certification ever been revoked? (Y) _____ (N) _____
If yes please explain the circumstances. _____

- C. Have you ever been the subject of any proceeding, inquiry or investigation by any professional association, including any bar association, of which you are a member? (Y) _____ (N) _____
If yes, please explain the circumstances. _____

- D. 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, disciplinary committee, or other professional group? If so, please give the particulars. _____

- E. Have you ever been sued by a client? If so, specify details. _____

- F. Summarize the nature of your personal appearances in court in the last five years.
 - a. What percentage of your appearances in the last five years was in:
 - 1. Supreme Court? _____
 - 2. County Court? _____
 - 3. Family Court? _____
 - 4. District Court? _____
 - 5. Federal Court? _____
 - 6. Other Courts? _____

b. What percentage of your litigation in the last five years was:
1. Civil? _____
2. Criminal? _____
3. Other? _____

c. What percentage of your trials in the last five years was:
1. Jury? _____
2. Non-jury? _____

d. 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.
Number _____

e. State the number of appeals in which you have participated during each of the past five years, giving the names of the appellate courts and a general description of subject matter.
Number _____

G. Have you lectured or participated as a panelist at any schools or seminars conducted by any bar association or other organization of the legal profession? If so, specify dates and details. _____

SECTION VII: MILITARY SERVICE

A. Please list highest rank, branch of service, dates of service and type of discharge:

B. Are you a member of Reserves or the National Guard? (Y) _____ (N) _____
If yes, when does your obligation end? _____

SECTION VIII: ORGANIZATIONAL AFFILIATIONS

A. Identify all professional/business organizations of which you are a member. Specify the name and address of the organization, the dates of your membership and any title that you held in the organization. _____

B. List, any office, trusteeship, directorship, partnership, or position of any nature, whether or not compensated, held by you with any firm, corporation, association, partnership, or other organization. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed or regulated by any federal, state or local agency, or, if you did business with, or had other than ministerial matters before any federal, state or local agency, as a regular and significant part of the business or activity or said entity, list the name of any such agency. If you received compensation, please provide the particulars. _____

C. List any office, trusteeship, directorship, partnership, or position of any nature, whether or not compensated, held by your spouse with any firm, corporation, association, partnership, or other organization. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed or regulated by any federal, state or local agency, or, if your spouse did business with, or had other than ministerial matters before any federal, state or local agency, as a regular and significant part of the business or activity or said entity, list the name of any such agency. If your spouse received compensation, please provide the particulars.

D. Identify all memberships and offices held in and services rendered to all political parties or election committees during the past ten years. If you received compensation, please provide the particulars. _____

E. Identify any civic, educational or charitable organizations of which you are a member. Specify the name and address of the organization, the dates of your membership and any title that you held in the organization. _____

F. Identify any fraternal organizations of which you are a member. Specify the name and address of the organization, the dates of your membership and any title that you held in the organization. _____

G. Identify any recreational/leisure organizations (e.g. country club, yacht club, tennis club) of which you are a member. Specify the name and address of the organization, the dates of your membership and any title that you held in the organization. _____

H. To your knowledge, are you or have you ever been a member of any organization that restricted admission on the basis of race, color, religion, age, sexual orientation, national origin, disability, or marital status? (Y) _____ (N) _____
If yes, please describe. _____

I. Have you ever been associated with any person, group or business venture that could be used to impugn or attack your character and qualifications for the position to which you seek to be appointed? (Y) _____ (N) _____
If so, please describe: _____

SECTION IX: PUBLISHED WORKS, SPEECHES & AWARDS

A. Published Works (If none, please submit other writing samples):

Identify the titles, publishers and dates of books, articles, reports, addresses or other statements, including opinion statements, which you have written that have been published or otherwise distributed or presented. Please submit a copy of any book, article, report or other published, distributed or presented statement.

B. Speeches:

Identify the title of any speech that addresses a topic related to the position for which you are applying and that you have delivered during the last four (4) years. Please include the date of delivery and the audience. If the speech has been reduced to writing or transcribed, please submit a copy.

C. Honors and Awards:

Identify all honors and awards that you have received in the past ten (10) years. Please include the date you received the award and the conferring organization.

SECTION X: REFERENCES

A. Please identify three (3) individuals who know you well in your business and/or professional life over the last five or more years:

1. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

2. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

3. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

B. Please identify three (3) individuals who know you well in your personal life and who are not related to you:

1. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

2. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

3. Name: _____
Residence Address: _____
Home Telephone: _____
Employer or Business Name: _____
Business Address: _____
Business Telephone: _____
Years Known: _____

SECTION XI: CONFLICT OF INTEREST INQUIRIES

A. Are you or any of your immediate family members related to any United States governmental official or employer, State of New York official or employee or any official or employee of a municipal subdivision of the State of New York?

(Y) _____ (N) _____

If yes, please provide details.

B. During the past five (5) years, have you or any immediate family member received any compensation or been involved in any financial transactions with any federal, state or local agency, public authority, public corporation or official? (Y) _____ (N) _____

If yes, please provide details. _____

C. Describe any business relationship, dealing or financial transaction which you have had during the past five (5) years, whether for yourself, or on behalf of a client, or acting as an agent, which you believe may constitute an appearance or impropriety or may result in a potential conflict of interest in the position for which you seek appointment. If none, please so state. _____

D. Describe any business relationship, dealing or financial transaction which any immediate family member has had during the past five (5) years, whether for himself/herself or on behalf of a client, or acting as an agent, which you believe may constitute an appearance of impropriety or may result in potential conflict of interest in the position for which you seek appointment. If none, please so state. _____

E. Does any member of your immediate family hold an employment position that is related in any way to the position that you seek? If so, please identify the employer, the position and the length of time it has been held. _____

F. Describe briefly any lobbying activity that you have engaged in during the past ten (10) years for the purpose of influencing any legislative or administrative action within the State of New York. _____

NOTE: "Lobbying activity" includes any activity performed as an individual or agent of another individual or of any organization that involves direct communication with an official in the executive branch, the legislative branch, or any public authority, agency or educational institution of New York State government.

G. Have you registered as a lobbyist with the Temporary Commission on Lobbying?
(Y) _____ (N) _____
If yes, please explain. _____

H. Describe briefly any lobbying activities that any member of your immediate family has engaged in during the past ten (10) years for the purpose of influencing any legislative or administrative action within the State of New York. _____

I. Please describe any other matter in which you have been involved which may be incompatible or in conflict with the discharge of the duties of the position that you seek, or any matter which may impair or tend to impair your independence of judgment or action in the performance of your duties. If there is none, please so state. _____

J. Outside Employment:

1. Do you have any commitments or agreements to pursue outside employment, with or without compensation, while you sit in judicial office? (Y)_____ (N)_____
If yes, please explain. _____

2. Do you intend to sever all connections with your present employer or business firm, association or organization if you are appointed to the position you seek?
(Y) _____ (N)_____
If no, please explain. _____

SECTION XII: FINANCIAL MATTERS

A. Liens or Judgments:

1. Are there any liens (other than attorney liens) or judgments against you or any business or property in which you are an owner, officer, director or partner?
(Y) ____ or (N) ____
If yes, please explain. _____

2. Has a collection proceeding ever been institute against you or filed against or in relation to a property owned by you by any federal, state or local taxing authority?
(Y) ____ (N) ____
If yes, please explain. _____

B. Tax Liabilities:

1. Are you or any business in which you are owner, officer, director or partner in arrears with regard to any tax obligations to federal, state and local authorities?(Y) ____ (N) ____ If yes, please explain. _____

2. Are there any tax liens currently assessed or pending against you, any business in which you are an owner, officer, director or partner, or any real property in which you have a beneficial or legal interest? (Y) ____ (N) ____ If yes, please explain.

3. Have your state or federal income tax returns been the subject of any audit, investigation or inquiry resulting in the assessment of a penalty?
(Y) ____ (N) ____ If yes, please explain. _____

4. Have you filed all federal and state income tax returns timely? (Y) ____ (N) ____
If no, please explain. _____

5. Within the last five (5) years, have you employed any domestic or household help? (Y) ____ (N) ____
 - a. If you employed domestic or household help, did you file the appropriate reports with the taxing authorities and pay withholding taxes?
(Y) ____ (N) ____ If no, please explain. _____

- b. If you employed domestic or household help, have you verified that any domestic or household help that you employed are U.S. citizens or documented aliens? (Y) ____ (N) ____ If no, please explain. _____

C. Student Loans:

1. Are you, your spouse or any of your unemancipated children in arrears on the repayment of any student loan? (Y) ____ or (N) ____
If yes, please provide the name of the lender, the amount that is currently overdue and the length of time of the delinquency. _____

2. Have you, your spouse or any of your unemancipated children ever defaulted on a student loan? (Y) _or (N)_
If yes, please provide the name of the lender, the amount of the default and the disposition of the loan. _____

D. Gifts:

1. List each source of gifts, EXCLUDING campaign contributions, in EXCESS of \$1,000 received during the past five years by you or your spouse or unemancipated child from the same donor, EXCLUDING gifts from a relative. INCLUDE the name and address of the donor. The term "gifts" does not include reimbursements. Indicate the value and nature of each such gift.

NONE

Self, Spouse or Child	Name of Donor	Address	Nature of Gift	Value Amount* Category of Gift
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*VALUE AMOUNT/CATEGORIES: A. under \$5,000; B. \$5,000 to under \$20,000; C. 520.000 to under \$60,000; D. \$60.000 to under \$100,000; E. 5100.000 to under \$250,000;F.\$250,000 or over,

E. Agreements:

- a. Describe terms of, and the parties to any contract, promise, or other agreement between you and any person, firm, or corporation with respect to the employment of you after leaving your current office or position.

NONE

- b. Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to you in EXCESS of \$1,000 from a prior employer to be paid to you during the term of office for the position you seek. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance, buy-out agreements, severance payments, etc.).

NONE

F. Other Income:

List the sources and amount of any annual deferred income (not retirement income) in EXCESS of \$1,000 from each source to be paid to you during the term of office for the position you seek. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporation, partnership or association through which the income was derived, but shall not identify individual clients.

NONE

SOURCE				CATEGORY AMOUNT*
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* VALUE CATEGORY AMOUNT: A. under 55,000; B. \$5,000 to under \$20,000; C. \$20,000 to under \$60,000; D. \$60,000 to under \$100,000; E. \$100,000 to under \$250,000; F. \$250,000 or over.

SECTION XIII: GENERAL MATTERS

A. Criminal Convictions:

Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any felony, misdemeanor or violation other than for minor traffic violations?

(Y) ____ (N) ____ If yes, please explain. _____

B. Investigatory Actions:

Have you ever been involved (including but not limited to, as a target, subject or witness) in any inquiry or investigation by a federal, state or local agency, (other than for routine background investigations for employment purposes) or by any grand jury? (Y) ____ (N) _____

If yes, please explain. _____

C. Contempt:

Have you ever been cited for contempt of any court, legislative, civil or criminal investigative body or grand jury? (Y) _____ (N)_____ If yes, please explain. _____

D. Driver' License:

Has your driver's license ever been suspended or revoked? (Y) ____ (N) _____.

If yes, please explain. _____

E. Parking Tickets:

Do you have outstanding parking tickets from any jurisdiction in New York which have remained unpaid for more than thirty (30) days? (Y) ____ or (N) ____ If yes, please explain.

F. Civil Litigation:

1. Have you or any business in which you are an owner, officer, director or partner ever been a plaintiff or a defendant in a civil lawsuit? (Y) ____ (N) ____

If yes, please specify the nature of action its title and index number or civil action number and the disposition or status of the case. _____

2. Is any person or entity currently threatening to sue you or any business in which you are an owner, officer, director or partner? (Y) - or (N) ____

If yes, please specify the name and address of the claimant and explain any pertinent details. _____

G. Do you, your spouse or immediate family member own, lease operate or have any interest in any real property which during the time of such ownership has been cited for health or environmental violations by federal, state or local authorities, has been condemned or closed or has been identified as containing hazardous materials? (Y)____ (N)____

If yes, please explain. _____

H. Are you registered to vote? (Y)____ (N) ____

I. Have you voted consistently over the past ten (10) years or since you graduated from high school? (Y)____ (N) ____

J. Do you currently possess the physical and mental ability to perform the essential functions of a judge, with or without accommodation? (Y) ____ or (N) ____

SECTION XIV: FUTURE INTENTIONS

A. Do you expect to serve the full term for which you may be appointed?
(Y) ____ (N) ____
If no, please explain. _____

B. Has anyone offered to employ you after you complete the term of office for the position you seek? (Y) ____ (N) ____
If yes, please explain. _____

C. Have you ever been interviewed and/or rated as a candidate by any committee, bar association or other group for any judicial position, including the position you currently seek? (Y) ____ (N) ____
If yes, state the position(s) for which you were rated, the name and address of the group before which you appeared or which issued the rating, and the rating which you were given or the result of the interview, if known: _____

SECTION XV: FOR THOSE WHO CURRENTLY HOLD JUDICIAL OFFICE

- A. Trials/Hearings/Motions:
1. State the approximate number of jury trials over which you presided per year during your present term of office.
Number: _____
 2. State the approximate number of non-jury trials over which you presided per year during your present term of office.
Number: _____
 3. State the approximate number of miscellaneous hearings or in-court proceedings over which you presided per year during your present term of office.
Number: _____
 4. State the approximate number of motions and applications determined by you per year during your present term of office.
Number: _____

B. Criminal Case Appeals

1. State the approximate number of appeals taken after plea in criminal cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____
2. State the approximate number or appeals taken after judgment in non-jury criminal cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____
3. State the approximate number of appeals taken after judgment injury criminal cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____

C. Civil Case Appeals

1. State the approximate number of appeals taken after judgment in non-jury civil cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____
2. State the approximate number of appeals taken after judgment in jury civil cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____
3. State the approximate number of interlocutory civil appeals taken in cases over which you presided during your present term of office.
Percentage affirmed: _____ Percentage reversed: _____

SECTION XVI: MISCELLANEOUS DISCLOSURES

- A. Is there any information not otherwise elicited by this Questionnaire which would affect favorably or unfavorably, your eligibility for the judiciary? If so, please set it forth.

- B. Candidates for judicial office may be subject to scrutiny by the public and the media. Accordingly, please set forth any additional disclosures that you believe should be considered with your application.

Dated: _____

Signature

ACKNOWLEDGEMENT

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

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

AUTHORIZATION AND WAIVER OF CONFIDENTIALITY

Judiciary Committee

I authorize a representative of the Oswego County Bar Association ("OCBA") to request and obtain any information which is known to, recorded with, on file with, or in the possession of a governmental, judicial, investigative or other official agency, including the State of New York Commission on Judicial Conduct, the Fifth District Grievance Committee, or any educational institution. I consent to release of, and waive any privilege of confidentiality with respect to, any such information, the information in my Judicial Questionnaire Information, and any other information obtained in the course of evaluating my qualifications for judicial office. I also authorize all of the organized bar associations in the Fifth Judicial District to release and share any such information, including my Judicial Questionnaire Information, with other bar associations located within the Fifth Judicial District, including the Jefferson, Lewis, Oneida, Onondaga, Oswego, and Herkimer County Bar Associations and the CNY Women's Bar Association.

Candidate for Judicial Office

Sworn to before me this _____
day of _____, 2009.

Notary Public