

Judicial Background Questionnaire

INSTRUCTIONS

Please fill out this application fully and accurately. Omit any information protected by the attorney-client privilege unless the privilege has been waived. When completed, email your completed questionnaire to [Corey Sellers@daines.senate.gov](mailto:Corey_Sellers@daines.senate.gov) and [Laura Peterson@tester.senate.gov](mailto:Laura_Peterson@tester.senate.gov) by June 14, 2023.

I. BIOGRAPHICAL INFORMATION

1. **Full name:** State your full name and any other names you currently use or have used, including maiden name.
2. **Contact Information:** List:
 - a. current residence address
 - b. office address(es)
 - c. office, mobile, and home telephone numbers
 - d. email address
3. **Place of Birth:** Provide the date, city, state, and country of your birth.
4. **Education:** List each college and law school you have attended, including dates of attendance, degrees received, and the dates degrees were granted.
5. **Employment Record:** List in reverse chronological order all government agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions, and organizations— nonprofit or otherwise—with which you are or have been connected as an officer, director, partner, proprietor, or employee since graduation from college. Please include name, address, and title.
6. **Military Service:** Have you served in the military? If so, provide the dates, branch of service, rank or rate, serial number, and type of discharge received. Did you register for selective service, if required?
7. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, and honorary society memberships that you believe would be of interest to the senator.
8. **Bar Associations:** List all bar associations or legal or judiciary-related committees, selection panels, or conferences of which you are or have been a member, and give the titles and dates of any offices you have held in such groups.

9. Court Admission: List all courts in which you have been admitted to practice, with dates of admission, whether you are a member in good standing, and whether any such membership lapsed. Please explain the reason for any lapse of membership. Give the same information for administrative bodies that require special admission to practice.
10. Lobbying: If you are a registered lobbyist, list all organizations for which you lobby or have lobbied, and the body you lobby or have lobbied.
11. Other Memberships: List all other organizations to which you belong or have belonged since you graduated from college.
12. Published Writings and Speeches: List the titles, publishers, and dates of books, articles, reports, or other material you have had published. Also, please supply a copy of all speeches you have delivered on issues involving constitutional law or legal policy. If there were press reports about the speech, and they are readily available to you, please supply them.
13. Judicial Office: List chronologically any judicial offices you have held, whether such position was elected or appointed, and a description of the jurisdiction of each such court.
14. Citations: If you are or have been a judge, provide:
 - a. A short summary of and citations for the ten most significant opinions you have written;
 - b. A short summary of and citations for all rulings of yours that were reversed or significantly criticized on appeal, together with a short summary of and citations for the opinions of the reviewing court;
 - c. A short summary of and citations for all significant opinions on federal or state constitutional issues, together with the citation for appellate court rulings on such opinions; and
 - d. List by caption and case number the five most recent jury cases and non-jury cases tried before you. Identify the attorneys involved and provide phone numbers and addresses for the attorneys.

If any of the opinions or rulings listed were in state court or were not officially reported, please provide copies of the opinions.

15. Public Office: List chronologically any public offices which you have held, other than

judicial offices, including the terms of service and whether such positions were elected or appointed. List chronologically any unsuccessful candidacies for elective public office.

16. Legal Career:

- a. Describe chronologically your law practice and experience after graduation from law school, including:
 - i. Whether you served as a clerk to a judge, and if so, the name of the judge, the court, and the dates of the period during which you were a clerk;
 - ii. Whether you practiced alone and, if so, the addresses and dates; and
 - iii. The dates, names, and addresses of law firms or offices, companies, or governmental agencies with which you have been connected, and the nature of your connection with each.

b. Describe the following:

- i. What has been the general character of your law practice? Divide it into periods with dates if its character has changed over the years.
- ii. Describe your typical former clients.
- iii. Describe any areas, if any, in which you have specialized.

c. Answer the following:

- i. Did you appear in court frequently, occasionally, or not at all? If the frequency of your appearances in court varied, describe each such variance, giving dates.
- ii. What percentage of these appearances was in:
 1. Federal courts;
 2. State courts of record; and
 3. Other courts.
- iii. What percentage of your litigation was:
 1. Civil; and
 2. Criminal.

- iv. State the number of cases in courts of record you tried to verdict or judgment (rather than settle), indicating whether you were sole counsel, chief counsel, or associate counsel. What percentage of these trials were jury versus non-jury?

17. Litigation: Describe the ten most significant litigated matters which you personally handled. Give the citations, if the cases were reported, and the docket number and date if unreported. Briefly summarize the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case, excluding those terms that are confidential. Also state as to each case:

- a. The date of representation;
- b. The name of the court and the name of the judge(s) before whom the case was litigated

18. Conduct: State whether your conduct or ability has ever been the subject of inquiry or criticism to any judge, court, disciplinary body, agency or other tribunal, or whether you have been disciplined, censured, sanctioned, or held in contempt by any judge, court, disciplinary body, agency or other tribunal, or whether your conduct or ability has been subject of comment by any judge, court, disciplinary body, agency or other tribunal. If so, fully explain the facts and circumstances. Include all such instances, even if the matter has been closed.

19. License: State whether your license or right to practice in or before any court, agency or other tribunal has ever been suspended, revoked, or denied, and if so, explain fully the facts and circumstances.

20. Client Lawsuits: State whether you have ever been sued by a client, and, if so, explain fully the facts of each suit and provide:

- a. caption
- b. case number
- c. disposition of the case
- d. court in which any such suit was filed
- e. names, addresses, and phone numbers of counsel for any party representing an interest adverse to yours
- f. a copy of the complaint in each such case and any final judgment disposing of such complaint

21. Malpractice Claims: State whether there has ever been a claim against you or your insurer alleging malpractice in any way, and, if so, explain fully the facts and circumstances of each claim, and provide a copy of each claim and any documents disposing of each such claim.

22. Legal Proceedings: State whether you have ever been a party to or otherwise personally involved in any legal proceeding other than as counsel, and if so, explain fully the facts and circumstances of each such suit. Provide:
 - a. caption
 - b. case number
 - c. court in which any such suit was filed
 - d. disposition of the case
 - e. names, addresses, and phone numbers of counsel for any party representing an interest adverse to yours
 - f. a copy of the complaint in each such case and any final judgment disposing of such complaint

23. Personal References: Provide the names and current phone numbers of three persons who have knowledge regarding your character and ability, state how long each has known you, and briefly describe your relationship with each person. Do not provide the name of any person already supplied in any other response to this questionnaire.

24. Judicial References: Provide the names and current phone numbers of three judges 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. Do not provide the name of any person already supplied in any other response to this questionnaire.

25. Opposing Counsel References: Provide the names and current phone numbers of three attorneys who have represented adverse positions in matters handled by you during the past five years. Do not provide the name of any person already supplied in any other response to this questionnaire.

26. Supervision Experience: Describe any previous supervisory experience, including how many people were under your supervision, and the extent and nature of your supervision of those people.

II. GENERAL

1. Describe legal services that you have provided to disadvantaged persons or on a pro bono basis. List specific instances and the amount of time devoted to each instance.
2. Describe all charitable and community activities. List specific activities and amount of time devoted to each activity.
3. Do you currently belong, or have you belonged, to any organization that discriminates on the basis of race, color, religion, sex, disability, or national origin—through either formal membership requirements or the practical implementation of membership policies? If so, list those organizations and dates of membership. What have you done to try to change these policies?
4. Please explain your interest in being considered for an appointment as a federal judge. Why do you wish to serve in this position, and what specific qualifications and qualities would you bring to the position?

III. PERSONAL

1. Have you ever been discharged from employment for any reason, or have you ever resigned after being informed that your employer intended to discharge you? If so, provide:
 - a. name of the employer
 - b. dates of your employment
 - c. reason for discharge
 - d. any additional explanation
2. Have you and your spouse filed and paid all taxes (federal, state, and local) as of the date of your application? Please indicate if you filed “married filing separately.” Did you make any back tax payments prior to this application? If so, provide details.
3. Have you or your family ever employed domestic help? Have you paid all taxes related to that employment?
4. Has a tax lien or other collection procedure (to include receipt of computer balance due notices) ever been instituted against you by federal, state, or local authorities? If so, give full details.
5. Have you or your spouse ever been the subject of any audit, investigation, or inquiry for

federal, state, or local taxes? If so, give full details.

6. Have you or your spouse ever declared bankruptcy? If so, give full details.
7. Do you now or have you ever had any delinquent or disputed child supports and/or alimony payments? If so, give full details.

IV. OTHER

1. Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, give particulars.
2. Has any organization of which you were an officer, director, or active participant ever been the subject of an investigation with respect to activities within your responsibility? If so, give full details.
3. Please answer the following questions.
 - a. Have you ever been charged with or convicted of any felony offense(s), including those under the Uniform Code of Military Justice?
 - b. Have you ever been charged with or convicted of a firearms or explosives offense(s)?
 - c. Are there currently any charges pending against you for any criminal offense(s)?
 - d. Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs?
 - e. Have you ever been charged with or convicted of any offense(s) related to domestic abuse or failure to provide child support?
 - f. In the last seven years, have you been subject to court martial or other disciplinary proceedings under the Uniform Code of Military Justice?
 - g. In the last seven years, have you been arrested for, charged with, or convicted of any offense(s) not listed in response to a, b, c, d, e, or f above?

If the answer to any of the above is "Yes," please explain the circumstances, including when the incident occurred, where, which law enforcement authority was involved, and the resolution of the matter.

4. Provide information on the following questions.
 - a. In the last seven years, have you illegally used any controlled substance, for example marijuana, cocaine, crack cocaine, hashish, narcotics, amphetamines, depressants, hallucinogenic, or prescription drugs?
 - b. Have you ever illegally used a controlled substance while employed as a law enforcement officer, prosecutor, or courtroom official; while possessing a security clearance; or while in a position directly and immediately affecting public safety?
 - c. In the last seven years, have you been involved in the illegal purchase, manufacture, trafficking, production, transfer, shipping, receiving, or sale of any narcotic, depressant, stimulant, hallucinogen, or cannabis for your own intended profit or that of another?

If the answer to any of the above is “Yes,” please explain the circumstances, including the dates, and identify the type of controlled substance/prescription drug involved.

5. In the last seven years, has your use of alcoholic beverages resulted in any alcohol-related treatment or counseling (such as for alcohol abuse or alcoholism)? If so, please provide the dates of treatment, and the names and address of the counselor(s) or doctor(s).
6. Please detail any unfavorable information that may affect your application.

AFFIDAVIT

I, _____, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

(DATE)

(SIGNATURE)

(NOTARY)