

## Information that needs to be submitted as part of the Night Court Commissioner application process.

**Eligibility:** Night Court Commissioners serve as judges *pro tempore* in the course of their regular duties. A candidate for this position must be a United States citizen, resident of Maricopa County at the time of appointment, of good moral character, a duly licensed member of the State Bar of Arizona, and a resident of the State of Arizona for a period of not less than five years immediately preceding his or her appointment. The Arizona Constitution, Article VI, §22 requires that judicial nominees must be at least 30 years of age.

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**This is not an application. This information is provided to you so that you know the general questions you will need to answer in order to complete the initial application process. Many of the questions will require you to elaborate and fully explain your answer.**

### A. PERSONAL INFORMATION

### B. EDUCATIONAL BACKGROUND

- Provide a list of the schools you attended (undergraduate, graduate, and law).
- List your major and minor fields of study and any significant extracurricular activities.
- List scholarships, awards, honors, and citations you received during undergraduate and graduate study and law school.

### C. PROFESSIONAL BACKGROUND AND EXPERIENCE

- List all courts in which you have been admitted to the practice of law, with dates of admission, and if applicable, dates of resignation or termination. Provide the same information for administrative bodies that require special admission to practice.
- Have you been denied admission to the Bar of any state based on character and fitness screening? Have you ever failed to pass the Bar exam of any state?
- Have you served as a judicial law clerk or staff attorney to a court?
- Indicate your employment history since graduating from law school. List your current position first. If you have not been employed continuously since graduation, describe what you did during any periods of unemployment or any other professional inactivity that lasted more than three months. Do not attach a résumé.
- For any of your previous positions, if you had not accepted a new position, would you have been allowed to continue your employment with that employer?
- List your current law partners and associates, if any. You may attach a firm letterhead or other printed list. Applicants who are judicial officers should attach a list of other judicial officers currently on the bench in the court in which they serve.
- 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.
- List other areas of law in which you have previously practiced.
- Describe your typical clients.
- Indicate any specialties for which you have applied for certification by the State Bar of Arizona and the results of your applications.
- Have you served regularly in a fiduciary capacity other than as a lawyer representing clients?
- Have you practiced in Federal or Arizona trial courts?

If YES, please state:

- (a) The approximate percentage of those matters in which you appeared before:
- (i) Federal courts
  - (ii) State courts of record
  - (iii) Lower courts (Muni/JP)
- (b) The approximate percentage of these matters which have been:
- (i) Civil
  - (ii) Criminal
  - (iii) Domestic Relations/Family Court
  - (iv) Juvenile
  - (v) Probate
  - (vi) Mental Health
  - (vi) Tax
- (c) The approximate percentage of these matters in which you were:
- (i) Sole Counsel
  - (ii) Lead Counsel
  - (iii) Second Chair or Supporting Counsel
- (d) Please summarize your experience in these cases, including whether you have engaged in formal discovery, whether you have drafted dispositive motions, whether you have participated in either bench or jury trials, and whether you have participated in settlement negotiations.
- Have you practiced in adversary proceedings before administrative boards or commissions?  
If YES, please state:
    - (a) The agencies before which you have appeared.
    - (b) The approximate percentage of these matters in which you appeared as:
      - (i) Sole Counsel
      - (ii) Lead Counsel
      - (iii) Second Chair or Supporting Counsel
  - Have you handled matters that have been arbitrated or mediated?  
If YES, please state the approximate percentage of these matters in which you were involved as:
    - (i) Sole Counsel
    - (ii) Lead Counsel
    - (iii) Second Chair or Supporting Counsel
  - Have you practiced in the Federal or Arizona appellate courts?  
If YES, please state:
    - (a) The approximate percentage of your appeals which have been:
      - (i) Civil
      - (ii) Criminal
      - (iii) Domestic Relations/Family Court
      - (iv) Juvenile

- (v) Probate
- (vi) Mental Health
- (vii) Tax
- (b) The approximate percentage of these matters in which you appeared:
  - (i) As counsel of record on the brief:
    - State Court
    - Federal Court
  - (ii) Personally in oral argument:
    - State Court
    - Federal Court
- Please answer the following:
  - a. To be completed by **all applicants**:
 

List five cases of significance that you litigated as an attorney before arbitrators, administrative agencies, trial courts, or appellate courts, or that you negotiated to settlement. Please 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 judicial officer(s) or individual(s) before whom the case was heard; (3) the names and email addresses of all counsel involved and the party each represented; (4) a summary of the substance of each case, and (5) the particular significance of the case.
  - b. To be completed by applicants **with judicial experience**:
 

List five cases of significance that you presided over or heard as a judicial officer or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) the names and email addresses of all counsel involved and the party each represented; (4) a summary of the substance of each case, and (5) the particular significance of the case.
- If you now serve or have previously served as a mediator, an arbitrator, or a part-time or full-time judicial officer, including as a pro-tem judicial officer, give dates and details, including the courts or agencies involved, whether elected or appointed, periods of service, and a description of your assignments at each court or agency.
- Describe any additional professional experience that you would like to bring to the attention of the Committee.

#### D. BUSINESS AND FINANCIAL INFORMATION

- Since graduating from college, have you ever been engaged in any occupation, business or profession, including military service, other than the practice of law or holding judicial or other public office?
- Are you now an officer, director or majority stockholder, or otherwise engaged in the management of any business enterprise?
  - (a) If YES, 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:
  - (b) Do you intend to resign from such positions and withdraw from participation in the management of any such enterprises if you are nominated and hired?

- Have you paid all state, federal, and/or local taxes when due?
- Have you or a business in which you have held an ownership interest ever filed for bankruptcy?
- Have you, your law practice or any business in which you held an ownership interest ever been named as a party in any lawsuit?

## E. PROFESSIONAL CONDUCT AND ETHICS

- Are you currently charged with, or have you ever been convicted of any felony, misdemeanor, or violation of state or federal law or the Uniform Code of Military Justice?
- Have you ever violated a court order, including an order for payment of child or spousal support?
- Has a court ever imposed sanctions upon you or your law practice for violation of any rule or procedure or any other professional impropriety?
- Since your graduation from college, have you ever been formally or informally reprimanded, demoted, disciplined, cautioned, placed on probation, had probation extended, placed on a work performance plan, subject to monitoring of your work product because of deficiencies in your performance, or suspended by an employer for any reason?
- Since your graduation from college, have you ever been terminated by an employer or asked to or were given the option to resign for any reason?
- To your knowledge, has any formal charge of professional misconduct ever been filed against you by the State Bar in any jurisdiction?
- During the last 10 years, have you unlawfully used controlled substances, narcotic drugs, or dangerous drugs as defined by state law, or abused prescription drugs? 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 the supervision of a licensed health care professional or other uses authorized by federal or state law.
- 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 YES, please state the date you were requested to submit to such a test, the 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.
- Have any of your current or former co-workers, subordinates, supervisors, customers, or clients ever filed a complaint or accusation of misconduct against you with any regulatory or investigatory agency, or with your employer?
- Are you now and have you always complied with the continuing legal education requirements applicable to you as a lawyer or judicial officer?

## F. PROFESSIONAL SERVICE AND ACTIVITIES

- Have you published any legal or non-legal books or articles?
- Have you taught any courses on law or lectured at bar associations, conferences, law school forums, or continuing legal education seminars?
- List memberships and activities in professional organizations, excluding any bar associations, including offices held (if applicable) and dates.
- List any professional honors, prizes, awards, or other forms of recognition that you have received.
- Have you served on any committees or the boards of any bar association (local, state, or national), or have you performed any other significant service to the bar?
- Have you provided significant pro bono legal services (defined as services to the indigent for no fee) or legal-related volunteer community activities?

## G. PUBLIC SERVICE

- Describe the nature and dates of any community or public service you have performed that you consider relevant that you have not listed elsewhere.
- List any civic honors, prizes, awards, or other forms of recognition that you have received.
- List any elected or appointed offices which you have held and/or for which you have been a candidate, and the dates:
- Describe any interests outside of the practice of law that you would like to bring to the attention of the Committee.

## H. ESSENTIAL DUTIES

- Are you physically and mentally able to perform the essential duties of a Commissioner in the Superior Court?

## I. REFERENCES

- Please provide the following information for three professional references who are lawyers or judicial officers who are familiar with your professional activities, and who would enthusiastically recommend you as qualified to serve as a Commissioner.
- Please provide the following information for three persons who are not lawyers, judicial officers, or relatives and with whom you have had contact *other than* professionally, who would enthusiastically recommend you to serve as a Commissioner.
- Please provide the following information for four lawyers with whom you have dealt continuously 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, provide the requested information for four lawyers who have frequently appeared before you in contested matters.

## J. ADDITIONAL INFORMATION

*Please note that questions #61 & 62 on the application (greyed font below) are not applicable for the Night Court Commissioner position but are required to be answered in order to submit a completed application for the role.*

- As stated in the vacancy announcement, Commissioners may be assigned and/or assist with work or hear matters in all Court departments to include Civil, Family, Juvenile, Criminal, Probate, Mental Health, Tax, or Justice Courts. If selected for this position, do you intend to serve fully, including acceptance of rotation to areas outside your areas of practice or interest?
- As stated in the vacancy announcement, this position may be assigned to Initial Appearance Court, which will require evenings or weekends, or you may also be assigned at a location such as the Maryvale Mental Health Building or Desert Vista Hospital. Judicial assignments may last a year or more. Are you available for and willing to work on any assignment you are given?
- Other than the information requested below, please provide any other relevant matters concerning your practice of law or any additional information relative to your application or qualifications that you would like to bring to the attention of the Committee:
- Attach a brief statement (no more than one page in length) explaining why you are seeking this position.
- Attach one complete professional writing sample no more than 10 pages in length that you drafted, such as a brief or motion.

- If you have served as a judicial or quasi-judicial officer, mediator, or arbitrator, attach to the end of your application sample copies of not more than two written rulings/opinions (whether reported or not) that you drafted.

Additional Information Requested:

- You will be asked to review and electronically sign the job description
- You will be asked to submit a release of information so that we may check your bar license history

The Judicial Branch of Arizona in Maricopa County provides reasonable accommodations in the application and selection process to individuals eligible for assistance under the Americans with Disabilities Act. To request such assistance, please contact the Human Resources Department at 602-372-3615.

FOR INFORMATIONAL PURPOSES ONLY