2011-2012
FLORIDA FEDERAL JUDICIAL NOMINATING COMMISSION
APPLICATION FOR U.S. DISTRICT JUDGE OR U.S. ATTORNEY

Form. An application shall take the form of written responses on letter size paper to the information requested below. The information is similar to some of the information which will be required from a Presidential nominee by the Senate Judiciary Committee during the Senate confirmation process. Each question should be repeated and its answer placed immediately beneath it.

Submission. The original of the application, together with a cover letter clearly identifying the vacancy sought, shall be sent by mail to: John M. Fitzgibbons, Chair, Florida Federal Judicial Nominating Commission, Law Offices of John M. Fitzgibbons, 707 North Franklin Street, Suite 700, Tampa, Florida 33602. A copy of the application and the cover letter shall be sent to EACH member of the Florida Federal Judicial Nominating Commission. The cover letter to Mr. Fitzgibbons shall contain the following certificate of mailing:
"I hereby certify that a copy of this application and cover letter was mailed to each of the remaining 63 members of the Florida Federal Judicial Nominating Commission on the __day of _____, 20__." Service is complete upon mailing.

A. All applicants are requested to complete the "Summary" form, attached hereto as Exhibit "A", and place the completed "Summary" form on the top of the completed Application.

B. ALL applicants are requested to complete the "Financial Statement" form, attached hereto as Exhibit "B", and place the completed "Financial Statement" form at the end of the completed Application.

C. ALL applicants are requested to answer the following common questions:

1. Individual Information.

(a) Full name.
(b) Office and home address with zip codes, telephone numbers with area codes and e-mail addresses.
(c) Date and place of birth.

2. Family Status.

(a) Are you married? If so, state the date of marriage and your spouse's full name including maiden name if applicable.
(b) Have you been divorced? If so, give particulars, including the date, the name of the moving party, the number of the case, the court and the grounds.
(c) Names of your children, with age, and present occupation of each.

3. Military Service. Have you had any military service? If so, give dates, branch of service, rank or rate, serial number, present status, and type of discharge, if applicable.

4. Education. List (most recent first) each college and law school you

attended, including dates of attendance, the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving.

5. **Court Admissions.** List all courts in which you have been admitted to practice, with dates of admission. Give the same information for administrative bodies which require special admission to practice.

6. **Employers and Associations.** Describe (most recent first) your law practice, experience and all employment after your graduation from law school, including:

(a) whether you served as clerk to a judge and, if so, the name of the judge, the court and the dates of the period you were a clerk.
(b) whether you practiced alone and, if so, the addresses and the dates.
(c) the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected, the nature of your connection with each, and the names, addresses and current telephone numbers for individuals who have direct personal knowledge about your work at such law firm, company or governmental agency.
(d) any other relevant particulars.

7. **Types of Law Practiced.**

(a) Describe the general character of your law practice, dividing it into periods with dates if its character changed over the years.
(b) Describe your typical clients, and mention the areas, if any, in which you specialized.

8. **Court Appearances.**

(a) Have you appeared in court as an attorney for a client regularly, occasionally, or not at all? If the frequency of your appearances in court varied over the years, describe each such variance, giving dates.
(b) What percentage of these appearances was in (i) Federal Courts; (ii) State Courts of record, and (iii) Other Courts. What percentage of your litigation was (i) civil, (ii) criminal.
(c) State the number of cases you tried to verdict or judgment (rather than settled) in courts of record, indicating whether you were sole counsel, lead counsel, or associate counsel.
(d) What percentage of these trials was (i) jury, (ii) non jury?

9. **Litigated Matters.** Describe ten of the most significant litigated matters which you personally handled as an attorney and give the citations, if the cases were reported. Give a capsule summary of the substance of each case and a succinct statement of what you believe to be the particular significance of the 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. Also state as to each case:
(a) the dates of the trial period or periods;
(b) the name of the court and the judge before whom the case was tried.
(c) the individual name, address and telephone numbers of all co-counsel and counsel for each of the other parties.

10. Legal Activities. Describe as many as ten of the most significant legal activities you have pursued, including a significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe the nature of your participation in this action, omitting any information protected by the attorney-client privilege, unless the privilege has been waived.

11. Public Office. Have you ever held public office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, including dates.

12. Candidates or Applicant. Have you ever been an unsuccessful (a) candidate for elective judicial or other public office, or (b) applicant for a judicial position? If so, give details, including dates.

13. Other Occupations. Have you ever been engaged in any occupation, business or profession other than the practice of law or holding judicial or other public office? If so, give details, including dates.

14. Business Connections. Are you now an officer or director or otherwise engaged in the management of any business enterprise?

(a) If so, 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) Is it your intention to resign such position and withdraw from any participation in the management of any such enterprise if you are nominated and confirmed? If not, give reasons.

15. Allegations. Have you ever been arrested, charged or detained by federal, state, or other law enforcement authorities for violation of any federal law or regulation, state law or regulation, county or municipal law, regulation or ordinance? If so, give details. Do not include traffic violations for which a fine of $100 or less was imposed.

16. Investigations. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If so, give particulars.

17. Client Litigation. Have you ever been sued by a client? If so, give particulars.

18. Legal Proceedings. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent, and any grand jury investigation in which you figured as a subject, or in which you appeared as a witness.

19. Disciplinary Matters. 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

office or agency, bar association, disciplinary committee or other professional group? If so, give the particulars.

20. Health.

(a) What is the present state of your health?

(b) Have you in the past ten years (i) been hospitalized due to injury or illness or (ii) been prevented from working due to injury or illness or otherwise incapacitated for a period in excess of ten days? If so, give the particulars, including the dates and the present status of the condition which caused the hospitalization or incapacitation.

(c) Do you currently have a physical or mental impairment which in any way limits your performance of the duties of the position for which you are applying? If so, give the details including any treatments you may be receiving.

(d) Are you currently addicted to or dependent upon the use of any narcotic, drug, or intoxicating beverage? If so, give the details.

21. Writings. List at least five examples of legal articles, books, briefs, or other legal writings which reflect your personal work. If briefs were submitted, indicate the degree to which they represent your personal work.

22. Professional Associations. List all bar associations and professional societies of which you are or have been a member and give the titles and dates of any offices which you have held in such groups. List also chairmanships of any committees in bar associations and professional societies, and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, committee of censors, grievance committee).

23. Civic Associations. List all organizations other than bar associations or professional associations or professional societies of which you are or have been a member, including civic, charitable, educational, social and fraternal organizations.

24. Distinctions. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

25. Community Services. Describe any pro bono or community service activities in which you have engaged.

26. Financial Disclosure.

(a) **Past and Present Income.** List sources and amounts of all income received during the preceding calendar year and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding $500 or more.

(b) **Future Income.** List sources, amounts and dates of anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business

relationships, professional services, firm memberships, former employers, clients or customers if you are appointed. Please describe the arrangements you have made to be compensated in the future for any financial or business interest if you are appointed.

(c) **Bankruptcy.** State whether you or your spouse have ever declared bankruptcy. If so, explain

27. Tax Liens. Has a tax lien or other collection procedure ever been instituted against you by any federal, state or local authority? If so, give particulars.

28. Employer Taxes. Have you paid all amounts due the government for any business or domestic employees you may have hired? If not, explain.

29. Private Club Memberships. State whether you currently belong, or have ever belonged, to any organization with discriminatory practices, whether by formal membership requirements or the practical implementation of membership policies. If so, list with dates of membership. State whether you have attempted to change these policies and, if so, explain.

30. Judicial Office: Have you ever held judicial office? If so, give dates and details including the courts involved, whether elected or appointed, periods of service, and a description of the jurisdiction of each such court.

[In addition to the common questions, applicants who are currently sitting as judges are requested to answer questions 31(A) and 31(B).]

31(A). Judicial Service. Describe your participation, if any, on judicial committees, in judicial conferences, and in sitting, by designation, as a temporary member of the court which reviews decisions of your court.

31(B). Potential Conflicts. With respect to your judicial service:

(a) Have you participated in any proceeding in which you had a stock or other financial interest in one of the parties or in the matter in controversy? If so, give particulars.
(b) Is there a rule or custom in your court as to judges sitting on such cases? If so, state the rule or custom and whether or not you have complied with it.
(c) Have you to the best of your knowledge and belief complied with applicable statutes and Canons of the American Bar Association relative to such matters as were in force and applicable at the time? If no, give particulars.
(d) Have you ever received compensation from any outside source for services rendered (other than fees or expenses for lectures, etc.) If so, give particulars.

32. Other Relevant Information. State any other information which may reflect positively or adversely on you, or which you believe should be disclosed, in connection with this application for U.S. District Judge or U.S. Attorney.

33. References. List five references by name, address, telephone number, and a brief description of your acquaintanceship.

34. Waiver; Authorization; Signature. Applications shall conclude with the following paragraph:

I hereby waive any privilege of confidentiality I may have concerning information which the Commission may desire to obtain from any source concerning my qualifications. I specifically authorize all institutions, organizations, schools, physicians, hospitals, and individuals to make available to the Commission any information concerning me which the Commission may request.

_____

Signature

_____

Name (Printed)

_____

Date

Exhibit "A"

SUMMARY

NAME: AGE:

PRESENT ADDRESS & LENGTH OF RESIDENCE IN FLORIDA:

MARITAL STATUS:

EDUCATION:

ACADEMIC HONORS:

ADMITTED TO FLORIDA BAR:

OTHER STATE BARS:

COURT ADMISSIONS:

LEGAL POSITIONS HELD

PERCENTAGE OF APPEARANCES IN COURT:

FEDERAL:

STATE:

Trial:

Appellate:

LITIGATION:

Civil:

Criminal:

NO. OF CASES TRIED:

Jury:

Non-jury:

PROFESSIONAL AND OTHER ACTIVITIES:

DECLARED BANKRUPTCY:

SUED BY CLIENT:

PARTY TO A LAWSUIT:

DISCIPLINARY MATTERS:

BELONG TO A CLUB WHICH DISCRIMINATES:

Exhibit "B"

FINANCIAL STATEMENT

This Financial Statement should be completed and placed at the end of an application. Provide complete, current information, in dollars, adding schedules as necessary, for yourself, spouse and other immediate members of your household. This is the Financial Statement as requested by the Senate Judiciary Committee.

ASSETS		LIABILITIES	
Cash on hand and in banks		Notes payable to banks—secured	
U.S. Government securities - add schedule		Notes payable to bank - unsecured	
Listed Securities - add schedule		Notes payable to relatives	
Unlisted securities - add schedule		Notes payable to others	
Accounts and notes receivable		Accounts and bills due	
Due from relatives and friends		Unpaid income tax	
Due from others		Other unpaid tax and interest	
Doubtful		Real estate mortgages payable - add schedule	
Real Estate owned - add schedule		Chattel mortgages and other liens payable	
Real estate mortgages receivables			
Autos and other personal property		Other debts itemize:	
Cash value - life insurance			
Other Assets - Itemize:			
		Total Liabilities	
		Net worth	
Total Assets		Total Liabilities and Net Worth	
CONTINGENT LIABILITIES		**GENERAL INFORMATION**	
As endorser, co-maker or guarantor		Are there any assets pledged? (Add schedule)	
On Leases or contracts			
Legal Claims		Are you defendant in any suits or legal actions?	
Provision for Federal Income Tax		Have you ever taken bankruptcy?	
Other special debt			