

**JUDICIAL QUALIFICATIONS COMMISSION**

**State of South Dakota**

**PERSONAL DATA QUESTIONNAIRE**

**Lawyer**

**Name:** \_\_\_\_\_



6. Have you had any military service? If so, give dates, branch of service, rank or rate, present status, and type of discharge.
  
7. List each college and law school you attended, including dates of attendance, the degrees awarded, class standing, and, if you left any institution without receiving a degree, and the reason for leaving.

School Name:            Date of Attendance:            Degrees:            Standing:

8. List all courts in which you have practiced before, with dates of admission. Give the same information for administrative bodies, which require special admission to practice.
  
9. Describe chronologically your law practice and experience after your graduation from law school up to this date, 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 practice 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, and the nature of your connection with each.
  
  - D. Law school teaching experience, including name of school, dates, courses and faculty rank.
  
  - E. Any other relevant particulars.

10. A. What is the general character of your practice, dividing it into periods with dates if its character has changed over the years.
- B. Describe your typical clients, and mention the areas, if any, in which you specialize.
- C. Describe any prosecutorial, public defender, or legal aid functions you may have performed.
- C. Describe the aspects of your legal experience, which you believe qualifies you to serve on the judiciary.
11. A. Do you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court varies, describe each such variance, giving dates.
- B. What percentage of these appearances was in:
- (1) Federal courts.
- (2) State courts of record.
- (3) Other courts.
- C. What percentage of your litigation was:
- (1) Civil.
- (2) Criminal.
- D. State the number of court trials and the number of jury trials you tried to a verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

Role:            Court Trials: Jury Trials: Counsel Status:

- E. Describe five of the most significant litigation matters, which you personally handled and give the citation, if the case was 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:
- (1) The dates of the trial period or periods.
  - (2) The name of the court and the name of the judge before whom the case was tried, and
  - (3) The individual name addresses and telephone numbers of co-counsel and counsel for the other parties.
12. State the judicial office you have previously held, giving the dates and details including the court involved, whether elected or appointed, periods of service and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court.
13. Describe the major problem facing the judiciary today and how you would overcome these problems.
14. Have you ever held public office other than a judicial office? If so, give the details, including the offices involved, whether elected or appointed and the length of your service, giving dates.
15. Have you ever been an unsuccessful candidate for elective, judicial or other public office? If so, give details, including dates.
16. 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.
17. 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 you position, the nature of your duties and the term of your service.

- B. Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are nominated and appointed? If not, give reasons.
18. Have you ever been arrested, charged or held by federal, state or other law enforcement authorities for violation of any federal law or regulation, state or municipal law, or ordinance? If so, give details. Do not include traffic violations for which a fine of \$ 100.00 or less was imposed.
19. Have you, to your knowledge, ever been under federal, state or local investigation for possible violations of a criminal statute? If so, give particulars.
20. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give particulars.
21. Have you consistently filed income tax returns?
22. Have you ever been sued by a client or a party? If so, give the particulars.
23. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian ad litem or stockholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or a co-respondent, and any grand jury investigation in which you appeared as a witness.
24. Have you 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, give the particulars.
- A. Has a complaint ever been filed against you with the State Bar Disciplinary Board?
- B. Have you ever been verbally warned by State Bar Disciplinary Board?
- C. Have you ever received a written reprimand from the State Bar Disciplinary Board?
- D. Have you ever been sanctioned by the South Dakota Supreme Court?

- E. Have you ever been placed on probation by the South Dakota Supreme Court?
  - F. Have you ever been disbarred from practicing law or removed from the bench in the State of South Dakota or any other state?
25. With respect to your legal service:
- A. Have you ever been cited for contempt of court? If so, give particulars.
  - B. Have you to the best of your knowledge and belief complied with applicable statutes and canons of professional ethics? If not, give particulars.
26. A. What is the present state of your health?
- B. Have you in the last ten years:
- (1) Been hospitalized due to injury or illness, or
  - (2) Been prevented from working due to injury or illness or otherwise incapacitated for a period of time in excess of ten days? If so, give the particulars, including causes, the dates, the places of confinement, and the present status of conditions which caused the confinement or incapacitation.
- C. Do you suffer from any impairment of eyesight or hearing, or any other physical handicap? If so, give details.
- D. When did you have your most recent general physical examination, and who was the supervision physician?
- E. Are you currently under treatment for an illness or physical conditions? If so, give details.
- F. Have you ever been treated for or had any problem with alcoholism or any related condition associated with consumption of alcoholic beverages or any other form of drug addiction or dependency? If so, give details.
- (1) During the past 30 days, how many times did you drive a car, truck, or motorcycle while or after drinking alcohol or using drugs?

- (2) During the past 30 days, on how many occasions did you drink alcohol (including wine coolers, beer, liquor or mixed drinks)?
  - (3) During the past 30 days, how many times did you have five or more drinks on one occasion?
- G. Have you ever been treated for or suffered from any form of mental illness? If so, give details.
- 27. Furnish two examples of legal articles, books, briefs, or other legal writings, which reflect your personal work. If briefs are submitted indicate the degree to which they represent your personal work.
- 28. A. 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.
  - G. 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.
- 29. 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, religious, educational, social and fraternal organizations.
- 30. 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.
- 31. Would a personal, discreet investigation of your life and background embarrass you in any way? If so, please explain.
- 32. If selected for this judicial position, would you be willing to change your place of residence within the circuit or district if required?
- 33. What time do you normally arrive at work, and what time do you normally leave work?
- 34. State briefly and concisely as possible why you seek nomination to the bench, and what qualities you believe you possess which would serve you especially well were you appointed to serve.

35. Describe any pro bono or community service activities in which you have been or are engaged.

## Authorization and Release

I, \_\_\_\_\_, hereby authorize the Division of Criminal Investigation for the State of South Dakota to release to the Judicial Qualifications Commission and its representatives any information concerning me contained in the criminal history record files of the Division. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilty (i.e. dismissed charges, or charges that resulted in a not guilty finding). I further understand that the information may contain listings of charges that resulted in a suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged under SDCL 23A-27-17. I acknowledge that this type of information may be released, even though this record is designated "nonpublic" under the provisions of SDCL 23A-27-17.

In consideration for the Division of Criminal Investigation releasing any information concerning me contained within its criminal history record filed to the Judicial Qualifications Commission and authorized representatives, I, \_\_\_\_\_, on behalf of myself, my spouse, legal representatives, heirs, and assigns, hereby release, waive, discharge and agree to hold harmless the Division of Criminal Investigation, its officers and employees, from all liability for any claim or damages resulting from the release of this information.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2001, at \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Name  
Social Security # \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

# JUDICIAL QUALIFICATIONS COMMISSION

## AUTHORITY TO RELEASE INFORMATION

To Whom it May Concern:

I hereby authorize any Investigator or duly accredited representative of the Judicial Qualifications Commission bearing this release, or a copy thereof, within one year of its date, to obtain any information from schools, residential management agents, employers, criminal justice agencies, credit reporting agencies or individuals, relating to my activities. This information may include, but it not limited to, academic, residential, achievement, performance, attendance, personal history, disciplinary, arrest and conviction records. I hereby direct you to release such information upon request of the bearer. I understand that the information released is for official use by the Commission and may be disclosed to such third parties as necessary in the fulfillment of official responsibilities.

I hereby release any individual, including records custodians, from any and all liability for damages of whatever kind or nature which may at any time result to me on account of compliance, or any attempts to comply, with this authorization. Should there be any question as to the validity of this release, you may contact me as indicated below.

Signature (Full name): \_\_\_\_\_

Full Name: \_\_\_\_\_

Other Names Used: \_\_\_\_\_

Date: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

