

APPLICATION FOR CAPITAL COLLATERAL REGIONAL COUNSEL

(Please attach additional pages as needed to respond fully to questions.)

DATE: _____ Florida Bar No.: _____

GENERAL: _____ Soc. Sec. No.: _____

1. Name _____ E-mail: _____

Date Admitted to Practice in Florida: _____ Other States: _____

2. Occupation: _____

Business address: _____

City _____ State _____ ZIP _____

Telephone _____ FAX _____

3. Residential address: _____

City _____ State _____ ZIP _____

Since _____ Telephone _____

4. Place of birth: _____

Date of birth: _____ Age _____

5. Length of residence in State of Florida _____

6. Marital status _____

If married: _____

Spouse's name _____

Date of marriage _____

Spouse's occupation _____

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce.

7. Children

Name(s) *Ages(s)* *Occupation(s)* *Residential address(es)*

8. Military Service (including Reserves)

Service *Branch* *Highest Rank* *Dates*

Rank at time of discharge

Type of discharge

Awards or citations

HEALTH:

9. Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date.

10. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?

Yes No

If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]

Please describe such treatment or diagnosis.

11. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?
- Experiencing periods of no sleep for 2 or 3 nights
 - Experiencing periods of hyperactivity
 - Spending money profusely with extremely poor judgment
 - Suffered from extreme loss of appetite
 - Issuing checks without sufficient funds
 - Defaulting on a loan
 - Experiencing frequent mood swings
 - Uncontrollable tiredness
 - Falling asleep without warning in the middle of an activity
- Yes No
- If yes, please explain.
- 12 (a) Do you currently have a physical or mental impairment which in any way limits, your ability or fitness to properly exercise your duties in a competent and professional manner?
- Yes No
- (b) If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or participate in a monitoring or counseling program?
- Yes No
- Describe such problem and any treatment or program of monitoring or counseling.
13. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.
14. During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (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 supervision of a licensed health care professional or other uses authorized by Federal law provisions.)
15. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

16. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, cautioned, placed on probation, suspended or terminated by an employer? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

17. Have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal accusation(s), and the specific formal accusation(s) made, and the background and resolution of such action(s).

18. 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 so, please state the date you were requested to submit to such a test, type of test required, 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.

19. In the past year, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

20. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

21. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.

22. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

EDUCATION:

23 (a) Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
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23 (b) List and describe academic scholarships earned, honor societies or other awards.

NON-LEGAL EMPLOYMENT:

24. List three previous full-time non-legal jobs or positions held prior to practicing law in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
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PROFESSIONAL ADMISSIONS:

25. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you are presently admitted to practice, giving the dates of admission.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
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LAW PRACTICE:

26. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
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27. Describe the general nature of your current practice including any designated areas of practice or certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

28. (a) What percentage of your appearance in courts in the last five years was in:

- State criminal trial practice _____ %
- Federal criminal trial practice _____ %
- State or federal criminal investigative, pretrial or
posttrial practice _____ %
- State or federal criminal appellate practice _____ %
- Noncriminal (civil, juvenile, habeas corpus or administrative)
trial practice _____ %
- Noncriminal pretrial practice _____ %
- Noncriminal appellate practice _____ %
- Criminal post-conviction/collateral representation _____ %

28. (b) For your last five cases, which were either contested or tried, list the names and telephone numbers of trial counsel on either side.

29. (a) Of your criminal litigation practice, what percentage involved prosecution? _____ %
defense? _____ %

29. (b) How many cases have you tried to verdict, judgment or final opinion?

- | | | |
|------------------|---------------------|-----------------|
| Criminal jury | Noncriminal jury | Capital jury |
| Criminal nonjury | Noncriminal nonjury | Capital appeals |

29. (c) Please list the citations or styles and describe the five most significant cases you have handled. Give the dates and names of the attorney involved.

29d. Attach at least one example of legal writing which you personally wrote.

30. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and succinctly describe the nature of your practice with reference to the types of information sought in Questions 28 and 29.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:

31. (a) Have you ever held public (including judicial office) office or been a candidate for public office? If so, state the court(s) involved and the dates of service or dates of candidacy.

31. (b) Please describe generally your duties in the office or offices held.

31. (c) Please describe any specific duties that you performed that would be helpful in the Office of Capital Collateral Regional Counsel.

If so, please state the office, date, person or body administering the disciplinary action, and the reasons given.

BUSINESS INVOLVEMENT:

32. (a) If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment.

32. (b) Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

32. (c) State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid.

POSSIBLE BIAS OR PREJUDICE:

33. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could serve as Capital Collateral Regional Counsel. Please list all types or classifications of cases or litigants for which you as a lawyer believe that you would be unable to provide representation. Indicate the reason for each situation as to why you believe you might be in conflict.

MISCELLANEOUS:

34. Have you ever been convicted for violation of any federal, state, 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 unless it also included a jail sentence.

35. (a) Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

35. (b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.
36. (a) Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
36. (b) Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.
37. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.
38. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.
39. (a) Have you filed all past tax returns as required by federal, state, local and other government authorities?
- Yes No If no, explain.
39. (b) Have you ever paid a tax penalty?
- Yes No If yes, explain what and why.
39. (c) Has a tax lien ever been filed against you?

HONORS AND PUBLICATIONS:

40. If you have published any books or articles, list them, giving citations and dates.
41. List any honors, prizes or awards you have received. Give dates.

PROFESSIONAL AND OTHER ACTIVITIES:

- 42. (a) List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.
- 42. (b) List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 42(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.
- 42. (c) List your hobbies or other vocational interests.
- 42. (d) Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected.

SUPPLEMENTAL INFORMATION:

- 43. (a) Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?
- 43. (b) Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?
- 44. Describe any additional education or other experience you have which could assist you in holding this position.
- 45. Explain the particular potential contribution you believe your selection would bring to this position.
- 46. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.
- 47. Describe any pro bono legal work you have done. Give dates.
- 48. Give any other information you feel would be helpful to the Commission in evaluating your application.

REFERENCES:

49. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for this position and of whom inquiry may be made by the Commission.

CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(q)(2), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Dated this _____ day of _____, 20_____.

Signature

Pursuant to Section 119.07(k)1, F.S., . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date

List Last 3 years

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date

List Last 3 years

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current year to date

List Last 3 years

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period, and generally describe the sources of such income or losses.

Current year to date

List Last 3 years

APPLICATION DATA RECORD

The application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor’s Office (pursuant the JNC Uniform Rules of Procedure).

(Please Type or Print)

Date:

JNC Submitting To:

Name (please print):

Current Occupation:

Telephone Number

Attorney No.:

Gender (check one): Male Female

Ethnic Origin (check one): White, non Hispanic
 Hispanic
 Black
 American Indian/Alaskan Native
 Asian/Pacific Islander

County of Residence:

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of Applicant: _____

Signature of Applicant: _____

Date: _____

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