

FETTERMAN / MCCORMICK FEDERAL JUDICIARY EVALUATION COMMITTEE (FJEC) QUESTIONNAIRE

Please insert additional pages as required. Please answer “N/A” to any question that is not applicable to you or to the position to which you are applying. Email the completed questionnaire and a resume to both: pacommission@fetterman.senate.gov and pacommission@mccormick.senate.gov.

*The answers to these questions inform the Committee and the Senators on their decision to recommend a candidate, the President’s determination whether to nominate a candidate, and a nominee’s chance of confirmation. Applicants must answer honestly and err on the side of disclosure, not assuming the reader will share their interpretation of the question. Applicants who omit information that ultimately surfaces will be expected to withdraw if asked.

1. Please list your name and specify the position and federal judicial district for which you are applying.

If you do not currently live and/or practice within the judicial district for which you are applying, please describe your previous personal and/or professional contacts with the region.

2. Home address.
3. Date and place of birth.
4. Full name, State Bar of Pennsylvania number, bar numbers of other states where you have been admitted to practice law, and dates of admission, as well as any other bar examinations you have taken and the dates on which you took them.
5. List all employers since the completion of your undergraduate degree, including address, telephone number, and e-mail address. Describe each position held since law school.
6. Marital status/family information:
 - a) Are you married? If so, state the date of marriage and your spouse’s full/maiden name.
 - b) If divorced within the last ten years, please state the number and style of case and court.
 - c) Names of your children (if any), with age, city of residence, and present occupation of each.
7. Have you served in the military? If so, give dates of service, branch of service, rank or rate, serial number, and present status (including discharge characterization, if applicable).

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8. List each undergraduate, graduate, and law school you attended, including dates of attendance and degrees awarded. Please mail, as soon as practicable, (to the addresses below) official transcripts from all institutions you attended, the score and percentile in which you ranked on the LSAT, and your law school standing upon graduation (if available).

Mail to:

U.S. Senator John Fetterman
142 Russell Senate Office Building
Washington, D.C. 20510
Attn: Jason Smith

U.S. Senator Dave McCormick
702 Hart Senate Office Building
Washington, D.C. 20510
Attn: Laura Atcheson

(Note: Directions on how to receive your LSAT information may be obtained by phoning the Law School Admissions Council at (215) 968-1001, then pressing "0" for assistance.) Also, please email a copy of your transcripts to both:

pacommission@fetterman.senate.gov and pacommission@mccormick.senate.gov.

9. List all courts in which you have been admitted to practice, including date of admission.
10. If certified as a specialist by the State Bar of Pennsylvania or by any other State Bar, please indicate the state, specialty, score on the examination, and date of certification.
11. With respect to the last five years, estimate the following:
 - a) Did you appear in court regularly, occasionally, or not at all?
 - b) Regarding your court appearances, what percentage was in:
 - i Federal courts?
 - ii State courts of record?
 - iii Other courts?
 - c) Regarding your litigation, what percentage was:
 - i Civil?
 - ii Criminal?
 - d) State the approximate number of cases in courts of record you tried to verdict or judgment (rather than settled).
 - e) Regarding your trials to verdict, what percentage was jury vs. non-jury?

In answering the questions below, please provide docket numbers and the names of the judges before whom each matter was litigated; citations for any decisions where available; and the names, addresses, and telephone numbers for all lead counsel for each party. Provide a capsule summary of the substance of each case, including the party or parties you represented, a

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description of the nature of your participation in the litigation, and the final disposition of the case.

For questions 12 through 16, provide citations for any decisions where available. If a reported decision is not available, provide a copy of your opinion or judgment.

12. List every matter you have personally litigated before the judicial district for which you are applying.
13. Describe the ten most significant matters you have personally litigated before any court.
14. Describe any case you have personally litigated that received material publicity or commentary in the general media or legal community, or if the subject matter could in good faith be considered controversial.
15. If you have served as a judge or magistrate, describe the ten most significant cases over which you presided.
16. If you have ever served as a judge, describe any case over which you presided that received material publicity or commentary in the general media or legal community, or if the subject matter could in good faith be considered controversial.
17. In the past fifteen years, have you been, or are you now engaged, in any occupation, business or profession other than the practice of law? If so, state the following: the nature of that occupation; the name, address and telephone number where you worked; and the dates during which you worked there. If you served as judge during the stated fifteen-year period, provide the above requested information for the five years immediately prior to the commencement of your judicial service.
18. Have you or your firm ever been sued by an employee or co-worker for conduct in or related to the workplace involving actions that are alleged to be attributable to your conduct or the conduct of another that was consistent with, and in furtherance of, your direct supervision and instruction? (Include complaints brought against you in state or local “human rights” administrative agencies.) If so, state the following for each: the case name and number of the suit or complaint; the court or agency and location where filed; a summary of the allegations and legal claims against you; and the final disposition of the suit or complaint.
19. Have you or your firm ever been sued by a client regarding matters related to actions that are alleged to be attributable to your conduct or the conduct of another that was consistent with, and in furtherance of, your direct supervision and instruction? If so, state the following for each such suit: the case name and number of the suit; the court and location where filed; a summary of the allegations and legal claims against you; and the final disposition of the suit.

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20. Have you or your firm ever been sued by an employee or co-worker for conduct in or related to the workplace involving actions that are alleged to be attributable to your conduct or the conduct of another that was consistent with, and in furtherance of, your direct supervision and instruction? (Include complaints brought against you in state or local “human rights” administrative agencies.) If so, state the following for each: the case name and number of the suit or complaint; the court or agency and location where filed; a summary of the allegations and legal claims against you; and the final disposition of the suit or complaint.
21. Have you ever been charged with or sanctioned for a violation or breach of ethics, contempt of court or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, state the following: the name and number of the suit or complaint; the name and address of the court, agency, or committee; a summary of the allegations and legal claims against you; and the final disposition of the suit or complaint.
22. Have you ever been a party in any other proceedings not listed previously in answer to questions 18 through 21, including divorce proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian *ad litem*. Include all proceedings in which you were a party in interest or were named a co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject.
23. List each elected or appointed office held or sought and term thereof.
24. Please outline any voluntary or official participation you have had with any candidate for elective office (excluding your own campaign) and any campaign committee. List the dates of your involvement, any titles you assumed, and a summary of the work you performed. Also, please itemize all financial contributions you have made to any candidate (excluding yourself), any campaign committee, any political party, and any political action committee as well as the dates of each contribution.
25. Have you ever been a member of any organization (e.g., country club, service organization, fraternity, etc.) whose by-laws, policies, or activities could be construed as implicitly or explicitly discriminatory in any way? If so, state the following for each: the name and address of the organization; the date(s) when you belonged to the organization; your position(s) at the organization; the by-laws, etc. in question; and what, if anything, you did to try to reverse or reduce the effect of the allegedly discriminatory by-laws or policy.
26. Cite any articles, books, briefs, educational publications, other writings (e.g., legal publications, opinion editorials, etc.) which you have authored or to which you have contributed. Please attach copies of such work efforts hereto.
27. List any speeches you have given, including the date, audience, and title/topic. Please attach copies or links to any recordings of the speech, or prepared remarks/notes you used for the speech.

28. List all bar associations and professional societies of which you currently are a member or have been a member in the past and give the titles and dates of any offices which you have held in such groups. List also chairmanships or any committees in bar associations, professional societies, and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, grievance committee, etc.) Also, list any professional honors you have received.
29. List all organizations or societies (other than bar or professional associations) of which you are or have been a member, including civic, charitable, religious, educational, social, and fraternal organizations. Also indicate offices held and honors bestowed (e.g., law review, moot court, etc.).
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 already mentioned.
31. Have you ever transmitted an electronic communication (e.g., a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system, including communications initiated by electronic mail, instant message, network call, or facsimile machine; and a communication made to a pager) or posted content on the Internet (including posts on social and professional networks and comments on articles, blogs, etc.) that could cause embarrassment to yourself or to the Senators? If so, please provide a narrative explanation of any such communications or posts. You may, if you wish, provide the response to this question directly to the staff for the Senators.
32. Are you, or have you ever been, delinquent on any federal or state taxes or debts, including debts arising from defaults on federally- or state-guaranteed or insured loans such as student and home mortgage loans? If so, state the following: the date and name of agency issuing the loan; the date of default; and the final disposition of the default, including any legal action taken.
33. Has a tax or court-ordered lien ever been filed against you or your spouse on jointly owned property (or a company in which you or your spouse have been a principal), or have you or your spouse, while married, filed for bankruptcy? If so, state the following: the date and location of the lien or bankruptcy filing; the reasons for the lien being filed against you; the bankruptcy court where filed and the case name and number of the petition; and the final disposition of the lien or bankruptcy petition.
34. Do you currently employ, or have you ever employed, any household employees who are not U.S. citizens? Additionally, have you ever failed to withhold or pay appropriate federal and state taxes for any household employees? If so, state the following for each such employee: the services rendered by the employee, the dates of employment; the nationality of the employee; and the amount (if any) of taxes not withheld or paid.

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35. Have you ever been arrested or charged by federal, state, or other law enforcement authorities for a violation of any federal law or regulation, state law or regulation, county or municipal law, regulation or ordinance (do not include moving traffic or parking violations)? If so, state the following for each: the date and location of the arrest and/or charge; the charged violation or reason for arrest; the arresting or charging authority; and the final disposition of the arrest or charge.
36. Have you ever used illegal drugs at any time? If so, please provide details. Additionally, if you have used illegal drugs after the age of eighteen, state the following: the type of drug or controlled substance; the date of first use; the date of most recent use; the nature and frequency of use; whether the usage occurred while possessing a security clearance; and an explanation of why you intend or do not intend to use this drug or controlled substance in the future.
37. Have you ever been disciplined in any way for any matter by any college, university, law school or other institution of higher learning, or by any professor, administrator, employee or entity representing any college, university, law school or other institution of higher learning, or have you been allowed to withdraw from such an institution to avoid such discipline, whether or not the record of such action was retained in your file? For purposes of this question, “discipline” includes, without limitation, a letter or other written notice of reprimand or warning, suspension, expulsion, adjustment of grade, assignment of community service, any form of probation, or any other adverse action. For purposes of this question, “entity” includes, without limitation, residential facilities or other facilities owned or managed by a college, university, law school, or other institution of higher learning. If so, state the following for each: the name of the institution of higher learning, a summary of the allegations and claims against you; and the final disposition of the complaint.
38. Have you ever, as an elected or appointed official, voted for or been a party to the formation of any legislation, statute, regulation, or policy that could be construed as implicitly or explicitly discriminatory in any way? If so, state the following for each: the position you held at the time and the office address of the position; the legal citation of the legislation, *etc.*, involved; a summary of the legislation and the reasons why it might be construed as discriminatory; and the date(s) of the vote or formation of the legislation.
39. Describe your health history:
 - a) Current health?
 - b) Have you ever been treated for or had any problems with alcoholism or controlled substances or any related condition associated with consumption of alcoholic beverages or controlled substances? If so, provide details.
 - c) Have you ever been treated for or suffered from any form of mental health condition? If so, provide details.

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- d) Have you ever been hospitalized for any purposes in the last five years? If so, provide details.
 - e) Is there any other aspect of your health history, which if brought to light during the nomination process, may raise questions about your nomination?
40. As requested on the first page of this questionnaire, please list any additional information about yourself and your background, including but not limited to any information about your personal history, that could cause embarrassment to yourself or to the Senators, or that could be the subject of further inquiry in the exhaustive Department of Justice review and FBI background check that is conducted prior to any individual being nominated for this position. **If you feel uncomfortable sharing certain information with the full committee, you may attach a separate document in the package that is sent to the offices of Senator McCormick, which will not be shared with the entire committee. If you have any questions about this item, please do not hesitate to reach out.**

[Certification and signature page follows.]

CERTIFICATION

I certify that all of the statements made in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

(Signature of Applicant)

(Date)