

TIPS ON COMPLETING YOUR APPLICATION FOR A SUPERIOR COURT APPOINTMENT

1. INTRODUCTION

If you have seriously considered becoming a trial court judge, you may feel intimidated by the prospect of completing the judicial application. You will be required to disclose detailed personal, private, and perhaps embarrassing information. Some of the information may be very time consuming to compile. However, the application itself is really simple.

You can complete the application if you work on the draft of the application incrementally, with a clear organizational plan in mind. We list below some things to consider before you begin your journey, and, on the last page, we suggest a plan of action for tackling the draft of your application. Good luck!

2. KNOW WHAT YOU ARE GETTING YOURSELF INTO

Select a sitting or retired judge to mentor you through the application process, because you will need a cheering section. Look for a mentor who will be honest about issues that may arise with your candidacy, and who will be a tough critic of your application. Then do the following:

- i. Go to the Governor's website: www.gov.ca.gov and hover your pointer over "Appointments" and then click on "Judicial" in the drop down menu. Or go to <https://www.gov.ca.gov/instructions-for-completing-judicial-appointment-applications/>
- ii. Print out and carefully read all of the instructions for completing the judicial appointments application. Please note that you are not eligible to be a judge unless you have been an attorney or judge of a court of record for 10 years immediately preceding your appointment.
- iii. On the website, focus on the heading for "Superior Court Application" but DO NOT click on the link for "New Applications: Superior Court Application" yet.
- iv. Go to "Review Worksheet" and click on the link "Superior Court Worksheet" and save it as a Word document. This will serve as the working draft of your application. When you get ready to complete the online application, you will be able to cut and paste your essays and other answers from your working draft into the final online version of your application. Completing the working draft will save time as well as give you a document you can print and review carefully for errors with your mentor judge before you begin completing your application online.

- v. Read all of the questions in the application worksheet straight through to familiarize yourself with the types of information you will have to provide, and make notes regarding the sources from which you can obtain the requested information.

3. KNOW WHAT YOU HAVE TO GO THROUGH

There will be at least two and possibly three mandatory evaluation processes. The Governor's office makes an initial evaluation of your application. Members of the Governor's regional Judicial Selection Advisory Committees ("JSACs") help the Governor vet you. The membership of the JSACs is now public, and the names are on the Governor's website at <https://www.gov.ca.gov/wp-content/uploads/2019/06/Regional-Judicial-Selection-Advisory-Committees.pdf>. You should not lobby or in any way solicit support for your appointment from these JSAC members, or seek to discuss your candidacy with them, as their work is confidential. You will not be apprised of either the substance or the source of the information received by the JSAC, and you will not be given an opportunity to rebut any negative assessments of your candidacy conveyed to the JSAC.

The JSAC vetting process likely includes a Google search of your name, as well as 20-30 phone calls to colleagues and judges and other personal contacts in your community, and not necessarily those listed on your application. For example, if it is learned through a Google search that you were engaged in a high-profile or protracted trial, and opposing counsel was not mentioned in your application, that person might be contacted.

If your application on its face shows that you are smart, hardworking, skilled in the law, well-rounded and have the breadth of life experience sought by the Governor, and if the vetting process by the JSAC uncovers no areas of concern, your application will be forwarded to the State Bar's Commission on Judicial Nominees Evaluation ("JNE Commission") for formal vetting. The threshold for sending a candidate to JNE is very high. If you are sent to JNE for evaluation, the current administration considers you a viable candidate for appointment.

The second step is a formal evaluation by the JNE Commission before the Governor can appoint you. It is important that you have a working knowledge of the rules of procedure governing the JNE Commission and the qualities the JNE Commission must consider in evaluating candidates, so review the JNE Commission rules at www.calbar.ca.gov/AboutUs/JudicialNomineesEvaluation.aspx.

Your supporters as well as persons who may be less than enthusiastic about your aspirations will receive a JNE Commission evaluation form and will be able to weigh in on whether or not you should be appointed. Every individual listed in your application and in your list of personal references will receive a JNE evaluation form. In addition, members of your firm or office and organizations to which you belong, as well as many if not all of the judges in your county, and random members of the bar will also get a JNE Commission evaluation form. However, unlike the vetting done by

the JSAC, the JNE Commission must disclose to you any criticisms that have been found to be “substantial and credible,” and you will be given an opportunity to respond to those criticisms during an interview with your assigned JNE commissioners. After your JNE interview, the full JNE commission considers you, and reports to the Governor’s office a rating of exceptionally well qualified (EWQ), well qualified (WQ), qualified (Q), or not qualified (NQ).

In addition to being vetted by the local JSAC and the JNE Commission, you may also undergo a third evaluation by your county bar association. Similar to the JNE evaluation process, your county bar association will gather information about you, interview you, and also give you a rating of EWQ, WQ, Q, or NQ, and report its rating to the Governor’s office. Once you know that you are going to JNE, contact your references and other supporters listed in your application to let them know that they may be contacted, and ask them to please promptly fill out and return all evaluation forms they receive. Many people will fill out one form and then throw out any subsequent ones, believing them to be duplicates. In fact, the first may be from your county bar and the second and most important one from JNE. The evaluation forms may also be sent to the rater’s “Junk Mail,” so take a moment to inform the raters to check all folders in their email box. You want as many EWQ and WQ ratings as possible sent to JNE as early as possible so they outweigh any NQs.

Consider seeking an evaluation from any local or specialty bar association with which you are involved and having that organization send a letter of recommendation to the Governor’s office. Also, consider soliciting individual letters of recommendation from people who know your work well and are well-respected in the legal community.

4. KNOW YOURSELF

You need to be candid with yourself about why you are suited to be a judge, and why you want to be a judge. Speak frankly with your judge mentor and ask about his or her life and work to ensure that your expectations of a career on the bench are realistic. This is also a good time not only to reflect upon whether there is anything in your personal or professional background that would detract from your suitability as a judge, but also how you will address any issues in your background in your application. While at the State Bar Web site, check your own State Bar record for accuracy. You must disclose in your application any complaints against you and any record of discipline, including any sanctions in excess of \$1,000. Also, do a Google search of yourself, because it is certain, as previously mentioned, that the Governor’s office, as well as the various screening committees, will also Google you or check other social media sites.

5. KNOW YOUR LEVEL OF COMMITMENT TO THE ULTIMATE GOAL

If after reading the application worksheet and doing a candid self-evaluation you still wish to pursue becoming a judge, we recommend that you schedule three

sessions with yourself to prepare the application, during which you devote time to answering the questions in the order that we suggest on the following page. The time intervals between each session can be as long or as short as you choose, but you should give your application priority. If you try to answer the questions in chronological order in the worksheet, you will get bogged down on the ones that are time-consuming and may feel that you are not making progress. Answering them in the order we suggest will help you feel that you are indeed making great progress toward your goal. Completing the draft application is more of a marathon than a sprint, so keep moving forward.

6. KNOW THE CONSEQUENCES OF INATTENTIVENESS

Keep in mind that this is probably the most important job application that you will ever complete. Typographical errors, grammatical errors, and general sloppiness will suggest that you will approach your judicial duties in the same careless and haphazard way. While there are no “litmus tests” for appointment, such as extensive trial experience, or a particular party affiliation, failure to truthfully and candidly answer a specific question could automatically preclude you from appointment.

In preparing your answers to the essay questions, be concise and answer the specific question posed. Be thoughtful and keep in mind what you understand the Governor is looking for in a judge.

In providing contact information for your personal list of references, do a final check before you submit your application to ensure that all information is current.

Before completing your online application, have your proposed final draft reviewed by your mentor judge, and at least two very close, trustworthy, and candid friends. Be open to constructive criticism, and make valid suggested changes to your application. Finally, please review again the instructions on the Governor’s website, make sure you are ready to comply with all requirements, and that you know what you must submit.

If there is a program on becoming a judge being given by a bar association or other group, try to attend. Oftentimes, those involved in the judicial appointments process will be speaking about what the Governor’s office, the JNE Commission, and the bar associations are looking for in judicial candidates, and you may get the opportunity to ask questions about the process.

7. GET READY TO GO ONLINE TO SUBMIT YOUR FINAL APPLICATION

After you have completed your draft and incorporated into your worksheet all of the desired changes based on the suggestions from your mentors and advisors, it will be time to submit your application online. Allow yourself a minimum of three hours to complete this task, but you are not required to complete the application in one sitting. When you begin the online application, you should create an account.

When you log off to take a break, you can save your work in progress and return at a later time without having to start all over again. Make sure you do not hit SUBMIT until you are completely done with your application.

- i. Open up your Word worksheet so it will be available when you get ready to copy and paste the text of your essays and other lengthy entries. Also, have a hard copy of your draft application available for reference as you enter information in the dropdown menus online.
- ii. Go to the Governor's website and now click on the link "Superior Court Application." This will take you to the online version of the application. Carefully read and make sure you understand the instructions before you begin entering information.
- iii. Each time after you copy and paste an entry from your worksheet into the actual application, be sure to proofread your answer carefully. Be alert to formatting changes (e.g., apostrophes that get converted to question marks when pasted into the application) that may have occurred.
- iv. After you submit your application online, you must scan and email the following items to judappts@GOV.CA.GOV : (1) your photograph and a current resume; (2) all written materials submitted in response to any questions (make sure you identify the specific question the written materials are responsive to and make sure you keep the Governor's specified page limits for submissions); and (3) your signed Certification, Authorization and Release, which is found at the end of the worksheet.

COMPLETING THE TRIAL COURT APPLICATION IN THREE SESSIONS

SESSION ONE: ORDER OF QUESTIONS TO BE ANSWERED

1-6. Your name, preferred position/county, ethnicity, etc.	23. Prior judicial applications	59. Describe your hobbies and/or personal interests
7-12. Personal info	24. Runs for elected judicial office	63. Moral turpitude charges
13-14. Political party and dates	25. Military service	65. Bonded positions
15. Your state legislators ¹	32. Able to perform judicial duties	68-69. Unpaid judgments / orders; Tax liens/collections
16. Bilingual abilities	36. Total number career trials	70. Current on tax returns
17. Educational background	45-46. As current/past judicial officer, 10 big cases	72. Opposition to appointment
18-19. Current employment	48. Officer/director of business	39. 10 big career cases – start ²
20. Current specializations	51. Non-lawyer licenses & proof of good character	29. Essay – “Why do you want to be a judge?” 1st draft ³

SESSION TWO: ORDER OF QUESTIONS TO BE ANSWERED

21-22. Bar admission date; Courts admitted to practice	34-35. Diversity of practice-past 5 years.	60-61. Arrests/convictions/investigations; Lawsuits/civil proceedings/bankruptcies
26. Work History / Supervisors	37. Trials in past 5 years	62. Bar discipline/sanctions
27. Essay-Background-why are you qualified	44. Teaching experience-college, university, law school	64. All licenses suspensions, disciplines, charges
30. Professional accomplishment you are most proud of	45-46. Current/past judicial officer, 10 big cases, more work	66-67. Any clients sued you; Malpractice claims
31. Describe your personality	49. Income from other than law	74. 5 personal references - draft
33. Specific areas of experience	50. Other public offices held	39. 10 big cases – more work on

SESSION THREE: ORDER OF QUESTIONS TO BE ANSWERED

38. Big cases resolved without trial in last 5 years	52. Significant writings/publications/op-eds	73. Disclosures re negatives in your background
40. Your published cases	53. Honors, awards, prizes	28. Essay – Role of attorney /judge in improving society
41. Depositions taken/defended	54-56. Bar assns, private clubs	39. 10 big career cases - finish
42. Number of oral arguments on dispositive motions	57. Pro bono legal services	29. Essay – “Why do you want to be a judge” final draft
43. Bar association or other law-related activities in past 5 years	58. Community service/affairs	74. 5 personal references – final list
47. Pro tem/arbitrator/mediator work and significant cases	71. Bad press re your character or job performance	Other things to do: get photo, writings, resume ready to scan

¹ [Http://www.assembly.ca.gov](http://www.assembly.ca.gov) (Go to: “Find My Representative”)

² First, list only the names of 12-15 cases that might serve as your significant cases handled as counsel. These cases may include matters mediated or cases resolved before trial. The JNE Commission will send an evaluation form to each opposing counsel and judge listed in your application. Include any high-profile cases, as they may well be found through a Google search anyway. To locate current contact information of opposing counsel, co-counsel or judges, go to “ATTORNEY SEARCH” at www.calbar.ca.gov. If you can’t locate a retired judge, indicate the judge is retired.

³ Think seriously about why you want to be a judge. This essay will speak volumes about what kind of judge you will be. For your final essay, follow the “Goldilocks Rule” and make sure that the essay is: Not too hot and not too cold; not too big and not too little; not too hard and not too soft; it should be just right!