

NOTICE TO ALL APPLICANTS FOR A PER DIEM JUDGE POSITION

FACTORS AFFECTING QUALIFICATION

The Commission on Judicial Conduct has indicated in a formal opinion that any per diem judge **and** their partners/associates may not practice in the court to which the per diem judge is assigned. Further, pursuant to the Hawai'i State Constitution, government employees (federal, state, or county) are disqualified from serving as per diem judges. Additionally, once appointed, per diem judges are prohibited from holding other public positions for profit (*e.g.*, teaching at the Richardson School of Law).

1. In order to serve as a per diem judge, the applicant must be an attorney who has been licensed to practice law in all the courts of the State for at least five years and must be on “active status” with the Hawai'i State Bar Association (HSBA). Applicants who are on “inactive status” with the HSBA need not activate their license in order to apply for a per diem judge position, but, if appointed, will be required to activate their license prior to taking the oath of office and must keep their license active during the entire duration of their term of office.
2. All applicants have a continuing duty to notify the Chief Justice of any material changes to the answers provided in their application.
3. Any applicant who wishes to withdraw his or her name from consideration for a per diem judge position is requested to do so in writing to the Chief Justice.
4. *For First Judicial Circuit applicants:* Initial screening interviews of applicants by the Committee to Evaluate Qualifications of Per Diem Judges, appointed by the Chief Justice [hereinafter, the Screening Committee], may be conducted in small groups. Thereafter, follow-up interviews may be conducted on an individual basis.
5. Although recruitment for per diem judge positions is done on a continual basis throughout the year (with applications being kept on file until the need for more per diem judges arises), the Judiciary, from time to time, requests the HSBA to place a notice in its Bar Journal, announcing a call for interested persons to submit a per diem judge application. All applicants are advised to routinely check the Hawai'i Bar Journal for such announcements inasmuch as it will require those who have already submitted an application to the Screening Committee to submit a letter to the committee, indicating his or her interest in being considered for the recruitment being announced in the Bar Journal.
6. All applicants are advised that the Chief Justice may invite public comment regarding the character and qualification of applicants being considered for appointment.

Date of Application: _____

NAME: _____

(Last name, First name)

APPLICATION FOR PER DIEM JUDGE POSITION

State of Hawai'i Judiciary

Applying for:

(check one or both)

District

District Family

GENERAL INSTRUCTIONS

1. Please type all answers.
2. Please sign all authorization forms and return with the application.
3. Please attach a current resume to your application.
4. Submit original and three (3) copies as instructed in the cover letter, or the notice published in the *Hawai'i Bar Journal*.
5. Submit one (1) copy to the Chief Justice.
6. If additional space is needed to answer a question completely, please answer "see attached sheet" in the space provided and answer the question on a separate page. Please copy the question number and the question itself at the top of the page immediately preceding your answer.

Note: Your application will be deemed incomplete if you fail to provide all of the required attachments/reports to your application; incomplete applications will not be considered.

1. FULL NAME: _____

2. SSN: _____ DRIVER'S LICENSE: _____
(if different from SSN)

3. DATE OF BIRTH: _____

4. RESIDENCE ADDRESS: _____

BUSINESS ADDRESS: _____

5. E-MAIL ADDRESS:¹ _____

6. TELEPHONE: Home: _____ Work: _____
Cellular: _____ Pager: _____

7. POSITIONS/JOBS HELD IN THE LAST FIVE (5) YEARS (include dates):

8. LIST AND INCLUDE DATES OF ALL PREVIOUS POSITIONS HELD WITH THE JUDICIARY (including clerkships, internships, and volunteer work).

9. LIST THE NAMES, DATES OF ATTENDANCE, AND DEGREES RECEIVED FROM EACH COLLEGE/UNIVERSITY. (If you left any institution without receiving a degree, include the reason for leaving.)

10. ARE YOU A UNITED STATES CITIZEN? _____

¹ NOTE: The Screening Committee prefers electronic communication when appropriate. By providing an e-mail address, you are warranting that it is a current address and monitored frequently.

11. ARE YOU A RESIDENT OF HAWAII? _____
12. WHEN DID YOU BECOME A RESIDENT OF HAWAII? _____
13. LIST THE NAMES AND DATES OF LICENSURE FOR ALL COURTS IN WHICH YOU HAVE BEEN ADMITTED TO PRACTICE. (Give the same information for administrative bodies that require special admission to practice.)

14. DESCRIBE YOUR LAW PRACTICE DURING THE PAST FIVE (5) YEARS, INCLUDING A DESCRIPTION OF THE GENERAL CHARACTER OF YOUR PRACTICE, TYPICAL CLIENTS OR FORMER CLIENTS, AND THE AREAS, IF ANY, IN WHICH YOU HAVE SPECIALIZED.

15. WITH RESPECT TO THE LAST FIVE YEARS OF PRACTICE, DESCRIBE THE FREQUENCY OF YOUR APPEARANCES IN COURT. IF YOU LITIGATE, INCLUDE THE NUMBER, CASE TYPE, AND WHETHER JURY OR NON-JURY TRIAL.

20. LIST AND INCLUDE DATES OF ANY OTHER TRAINING IN THE LAST FIVE (5) YEARS THAT YOU BELIEVE WAS PERTINENT TO THE COURT YOU WISH TO BE ASSIGNED.

21. LIST ALL COMPLAINTS, IF ANY, LODGED AGAINST YOU WITH THE OFFICE OF DISCIPLINARY COUNSEL AND DESCRIBE THE OUTCOME OF EACH COMPLAINT.

22. LIST ALL COMPLAINTS, IF ANY, LODGED AGAINST YOU WITH THE COMMISSION ON JUDICIAL CONDUCT AND DESCRIBE THE OUTCOME OF EACH COMPLAINT.

23. HAVE YOU EVER BEEN ISSUED ANY OF THE FOLLOWING WITHIN THE LAST TEN (10) YEARS: (a) TRAFFIC SUMMONS OR CITATIONS (does not apply to traffic violations where the fine was \$50.00 or less); (b) NOTICE OF ADMINISTRATIVE REVOCATION; (c) SUMMONS TO APPEAR BEFORE LAW ENFORCEMENT AND/OR GRAND JURY? IF YES, PLEASE LIST BY DATE AND EXPLAIN IN DETAIL.

24. HAVE YOU BEEN ARRESTED WITHIN THE LAST TEN (10) YEARS? IF YES, PLEASE LIST BY DATE, SPECIFY THE OFFENSE, AND EXPLAIN CIRCUMSTANCES IN DETAIL.

25. DO YOU HAVE ANY OF THE FOLLOWING:

a. ANY **PENDING** CRIMINAL VIOLATION(S) OR CHARGE(S)? IF YES, PLEASE LIST BY DATE, SPECIFY THE OFFENSE, AND EXPLAIN CIRCUMSTANCES IN DETAIL.

b. ANY **PENDING** TRAFFIC OR OTHER VIOLATION(S), INFRACTION(S) OR CHARGE(S) (does not apply to traffic violations where the fine was \$50.00 or less)? IF YES, PLEASE LIST BY DATE, SPECIFY THE VIOLATION, INFRACTION, OR CHARGE, AND EXPLAIN CIRCUMSTANCES IN DETAIL.

26. HAVE YOU EVER BEEN ADJUDICATED OR CONVICTED OF ANY OF THE FOLLOWING:

a. ANY CRIMINAL VIOLATION(S) OR CHARGE(S)?

b. ANY TRAFFIC VIOLATION(S), INFRACTION(S), OR CHARGE(S) (does not apply to traffic violations where the fine was \$50.00 or less)?

27. HAS A TAX LIEN OR OTHER COLLECTION PROCEDURE EVER BEEN INSTITUTED AGAINST YOU BY FEDERAL, STATE OR LOCAL AUTHORITIES? IN PARTICULAR, HAVE YOU BEEN THE SUBJECT OF ANY PROCEEDING (CRIMINAL OR CIVIL) INITIATED AGAINST YOU BY THE INTERNAL REVENUE SERVICE OR THE STATE TAX OFFICE? IF SO, GIVE PARTICULARS.
28. HAVE YOU EVER BEEN A PARTY TO A LAW SUIT? IF YES, PLEASE EXPLAIN.
29. HAVE YOU EVER BEEN INVOLVED IN A BANKRUPTCY PROCEEDING AS A PARTY OR HAS A PETITION IN BANKRUPTCY EVER BEEN FILED BY A CORPORATION IN WHICH YOU WERE AN OFFICER, DIRECTOR, OR STOCKHOLDER OF MORE THAN 25% OF THE ISSUED AND OUTSTANDING SHARES OF STOCK?
30. EXPLAIN ANY CONSTRAINTS OR RESTRICTIONS YOU MAY HAVE IN ACCEPTING PER DIEM ASSIGNMENTS (e.g., health, business or other community contacts that would require recusal, time limitations, frequent travel, family commitments, etc.)

31. LIST YOUR PRESENT EMPLOYER, EACH PARTNER, AND SIGNIFICANT ASSOCIATES IN THE PRACTICE OF LAW.
32. 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).
33. STATE ANY OTHER INFORMATION WHICH MAY REFLECT POSITIVELY OR ADVERSELY ON YOUR APPLICATION, OR WHICH YOU BELIEVE SHOULD BE DISCLOSED IN CONNECTION WITH YOUR APPLICATION FOR A PER DIEM JUDGE POSITION.

34. AS NOTED IN THE NOTICE BOX ON PAGE 1, NEITHER YOU NOR YOUR FIRM CAN PRACTICE IN YOUR ASSIGNED COURT. SHOULD YOU BE SELECTED AS A PER DIEM JUDGE, HOW LONG WILL YOU AND YOUR FIRM NEED TO DIVEST YOURSELF/ITSELF OF THOSE CASES?

35. LIST THREE REFERENCES -- include addresses and telephone numbers.

Date	Signature	
STATE OF HAWAI'I)	
)	ss.
_____)	

On this _____ day of _____, 20__, before me personally appeared _____, known to me to be the person described in, and who executed the foregoing Application for Per Diem Position [hereinafter, applicant] and acknowledged that applicant executed it as applicant's free act and deed, and has read the answers and responses set forth in the application and is aware of the contents of each question and response; that the responses are true and correct to the best of applicant's knowledge and belief.

Notary Public, State of Hawai'i

My commission expires: _____

INSTRUCTIONS FOR PROVIDING A STATE TAX CLEARANCE

Attached is a copy of the State of Hawaii's Department of Taxation "Tax Clearance Application" form. Complete the application and submit it to the tax office as instructed on page 2 of the form. The form is available in "writable" format on the internet (*i.e.*, it may be filled- in online and printed) at: www.state.hi.us/tax.²

The form may be mailed, faxed, or submitted in person to the Department of Taxation. Be sure to allow sufficient time (4-6 weeks) for the tax office to respond to your request in order that you may attach a certified copy of the tax clearance to your application.

Upon receipt of the tax clearance, please attach the **certified copy** of the tax clearance to the original application form.

² Click on "Forms" in the left column; then select "Alphabetical List." The Tax Clearance Form is the first form (A-6) on the listing that appears.

AUTHORIZATION FOR CRIMINAL HISTORY RECORD CHECK

I hereby authorize the Committee to Evaluate Per Diem Judge Applicants to conduct a criminal history record check.

Signature Date

+ + + + + Please provide the information below. + + + + +

FULL NAME: _____
Last First Middle

ADDRESS: _____
Street City/State Zipcode

ANY ALIAS(ES)/FORMER NAME(S)/MAIDEN NAME: _____

SOCIAL SECURITY NUMBER: ____ - ____ - _____ SEX: _____

DATE OF BIRTH: ____ - ____ - ____ PLACE OF BIRTH: _____

+ + + + +

<u>FOR JUDICIARY USE ONLY</u>	
RE: CRIMINAL HISTORY RECORD SEARCH RESULTS	
<input type="checkbox"/> No conviction information found.	<input type="checkbox"/> See attached report.
File Search Completed By:	
_____ Signature	_____ Date

INSTRUCTIONS FOR PROVIDING A CREDIT REPORT

If you are a current subscriber to a credit reporting service, please attach a copy of a current credit report as instructed below.

If you are not a subscriber to a credit reporting service, a FREE, on-line credit report may be obtained by accessing **www.annualcreditreport.com**. This free service allows you to obtain a one free credit report per year. It also gives you the option of obtaining a credit report from three major credit report companies, *i.e.*, TransUnion, Experian, and Equifax. We request that you utilize **EXPERIAN**.

In submitting your **Experian Credit Report**, please follow the procedure below:

1. Place the report in an envelope;
2. Seal the envelope;
3. Put your name on the outside of the envelope; and
4. Attach the envelope to the ORIGINAL of your per diem application .

(You need not attach a credit report to the copies of your application.)

The envelope will be opened by the Chair of the Screening Committee and, in his or her discretion, shared with the Screening Committee members. The original will be forwarded to the Chief Justice. Your credit report will not be copied and, once it has been reviewed by the Chief Justice, will be shredded.