

**STATE JUDICIAL NOMINATION COMMISSION  
AND OFFICE OF THE GOVERNOR  
JOINT JUDICIAL APPLICATION**

*Please complete this application by placing your responses in normal type, immediately beneath each request for information. Requested documents should be attached at the end of the application or in separate PDF files, clearly identifying the numbered request to which each document is responsive. Completed applications are public records. If you cannot fully respond to a question without disclosing information that is confidential under state or federal law, please submit that portion of your answer separately, along with your legal basis for considering the information confidential. Do not submit opinions or other writing samples containing confidential information unless you are able to appropriately redact the document to avoid disclosing the identity of the parties or other confidential information.*

**PERSONAL INFORMATION**

1. **State your full name. Thomas James Duff**
  
2. **State your current occupation or title. (Lawyers: identify name of firm, organization, or government agency; judicial officers: identify title and judicial election district.)**

**Duff Law Firm, P.L.C.  
4090 Westown Parkway, Suite 102  
West Des Moines, Iowa 50266  
Phone: 515-224-4999  
Fax: 515-327-5401  
Email: tom@tdufflaw.com**

3. **State your date of birth (to determine statutory eligibility).**

**March 25, 1963**

4. **State your current city and county of residence.**

**Des Moines (Polk County) Iowa**

## PROFESSIONAL AND EDUCATIONAL HISTORY

5. List in reverse chronological order each college and law school you attended including the dates of attendance, the degree awarded, and your reason for leaving each school if no degree from that institution was awarded.

**ANSWER:**

**Drake University Law School: 1985-1988  
Des Moines, Iowa  
J.D. with Honors**

**University of Iowa: 1981-1985  
Iowa City, Iowa  
B.A. (English)**

6. Describe in reverse chronological order all of your work experience since graduating from college, including:
- a. Your position, dates (beginning and end) of your employment, addresses of law firms or offices, companies, or governmental agencies with which you have been connected, and the name of your supervisor or a knowledgeable colleague if possible.
  - b. Your periods of military service, if any, including active duty, reserves or other status. Give the date, branch of service, your rank or rating, and present status or discharge status.

**ANSWER:**

**(a)**

**October 2003 to present  
Duff Law Firm, P.L.C.  
4090 Westown Parkway, Suite 102  
West Des Moines, Iowa 50266  
I am the sole shareholder of this law firm.**

**November 1993 to September 2003  
Roxanne Conlin & Associates, P.C.  
319 7<sup>th</sup> Street, Suite 600  
Des Moines, Iowa 50309  
Supervisor: Roxanne Conlin**

**Vandeventer, Black, Meredith & Martin  
500 World Trade Center  
Norfolk, Virginia 23510  
September 1989 to November 1993**

**Supervisors: Nash Bilisoly and John Ryan**

**August 1988 to August 1989  
Honorable J. Calvitt Clarke, Jr.  
United States District Court  
Eastern District of Virginia  
Norfolk, Virginia 23510  
Supervisor: Judge Clarke**

**1986-1988  
James, Galligan & Conlin  
Des Moines, Iowa  
Supervisors: Roxanne Conlin/Dwight James**

**(b) None.**

- 7. List the dates you were admitted to the bar of any state and any lapses or terminations of membership. Please explain the reason for any lapse or termination of membership.**

**ANSWER:**

**Iowa: June 17, 1988**

**Virginia: October 1, 1989. I voluntarily allowed my membership in the Virginia bar to lapse after moving to Iowa.**

- 8. Describe the general character of your legal experience, dividing it into periods with dates if its character has changed over the years, including:**
- a. A description of your typical clients and the areas of the law in which you have focused, including the approximate percentage of time spent in each area of practice.**
  - b. The approximate percentage of your practice that has been in areas other than appearance before courts or other tribunals and a description of the nature of that practice.**
  - c. The approximate percentage of your practice that involved litigation in court or other tribunals.**
  - d. The approximate percentage of your litigation that was: Administrative, Civil, and Criminal.**
  - e. The approximate number of cases or contested matters you tried (rather than settled) in the last 10 years, indicating whether you were sole counsel, chief counsel, or associate counsel, and whether the matter was tried to a**

**jury or directly to the court or other tribunal. If desired, you may also provide separate data for experience beyond the last 10 years.**

- f. The approximate number of appeals in which you participated within the last 10 years, indicating whether you were sole counsel, chief counsel, or associate counsel. If desired, you may also provide separate data for experience beyond the last 10 years.**

**ANSWER:**

**(a) While employed by Judge Clarke my duties included legal research and writing judicial opinions in both civil and criminal matters. I would estimate 65-70% of the court's docket involved criminal matters, particularly drug-related offenses. The civil cases involved those typically found in federal court: personal injury cases based upon diversity of citizenship, employment discrimination cases and business litigation including antitrust, contract and construction cases.**

**From September 1989 to November 1993 I worked for Vandeventer, Black, Meredith & Martin in Norfolk, Virginia. I practiced civil litigation in trial and appellate courts in federal and state court in Virginia. This law firm specialized in maritime law. I defended personal injury cases brought under the Jones Act, the Death on the High Seas Act and other maritime statutes. I also devoted a substantial portion of my practice to defending employers in workers' compensation claims brought under the Virginia Workers Compensation Act and the Longshore and Harbor Workers Compensation Act.**

**While employed at Vandeventer my clients included workers' compensation carriers such as AIA, Travelers, and Hartford. I also represented vessel owners, vessel repair companies, and tugboat companies defending workers compensation and personal injury claims. A representative sample of clients includes Norshipco, Virginia International Terminals, Metro Machine and Moran Towing.**

**From November 1993 to September 2003 I was employed as an associate attorney at Roxanne Conlin & Associates, P.C. in Des Moines, Iowa. I specialized in personal injury and employment discrimination cases. The personal injury cases were primarily car accidents. The employment discrimination cases involved claims alleging harassment and discrimination on the basis of sex, age or race.**

**During this period of time I typically handled a greater number of personal injury cases in comparison to employment discrimination cases. Although it varied, 60-70% of my case load was personal injury matters. However, employment discrimination cases require extensive motion practice and therefore a greater percentage of my time was devoted to those matters.**

**There were no typical clients. While employed by Roxanne Conlin & Associates I represented executives, truck drivers, meatpackers, homemakers and construction workers to name a few.**

**From November 2003 to present I have been a solo practitioner and sole owner of Duff Law Firm, P.L.C. I have continued practicing personal injury and employment discrimination. In addition to car accidents, I also handle product liability, professional negligence, premises liability and construction injury cases.**

**The employment cases involve sex, race, age and disability discrimination/harassment as well as wrongful discharge in violation of public policy. I also handle civil rights cases and have acted as co-counsel in several class action lawsuits.**

**My clients are Iowa citizens who have been injured or killed, wrongfully terminated or had their civil rights violated. I have represented doctors, bank executives, nurses, law enforcement officers, teachers, hourly laborers, immigrants, homemakers and children.**

**(b)**

**Severance Negotiation: I provide legal advice to and negotiate severance agreements for employees who have been, or are about to be, terminated by their employer. I would estimate this is less than 5% of my practice.**

**Arbitration: I also serve as an arbitrator for FINRA (Financial Industry Regulatory Authority) f/k/a NASD beginning in June 2004. The nature of the practice involves acting as a neutral. The FINRA cases typically involve cases involving the sale or trading of various securities.**

**I became a certified arbitrator with the American Arbitration Association in June 2017. The AAA arbitrations I have handled thus far include credit card disputes and claims arising under the Telephone Consumer Protection Act. The arbitration work is around 5% of my practice.**

**Mediation: I am a certified mediator. I probably mediate one or two cases per year so no more than 2% of my practice.**

**(c)**

**The remaining portion of my practice or approximately 88% of my practice is in courts or other tribunals.**

**(d) Civil-80%**

**Administrative -8%**

**Criminal-0%**

**(e) Jury Trial-8**

**Chief counsel: 4**

**Associate Counsel: 4**

**Non-Jury: 2 (sole counsel)**

**Administrative: 2 (sole counsel)**

**(f) Appeals- 5**

**Chief counsel on all**

**9. Describe your pro bono work over at least the past 10 years, including:**

- a. **Approximate number of pro bono cases you've handled.**
- b. **Average number of hours of pro bono service per year.**
- c. **Types of pro bono cases.**

**ANSWER:**

**In January 2001 I completed 40 hours of mediation training through the American Academy of ADR Attorneys. From 2001-2003 I was a volunteer mediator for small claims cases through the District Court Mediation Program in Polk County.**

**After I started my own law firm in 2003, I handled a few (less than 5) divorce cases through Polk County Bar Association-Volunteer Lawyers Project.**

**However, I frequently represent employees at unemployment hearings pro bono and give members of the public free advice and direction about how to resolve and/or preserve their claims (e.g. filing a complaint with the Iowa Civil Rights Commission) or how to resolve smaller personal injury claim directly with the insurance company.**

**I have spent countless hours lobbying at the Iowa state house to preserve the rights of Iowans and keep the courthouse doors open. I was actively involved in helping pass several pro civil justice pieces of legislation. For example, in the 2009 session I worked closely with Senator Staci Appel and several house members to amend the Iowa Civil Rights Act to expressly prohibit pay discrimination against women and minorities. The bill passed and was signed by the Governor. Iowa Code § 216.6A. I have also devoted many hours stopping tort reform measures from becoming Iowa law. Most recently, I was involved in drafting amendments to the state whistleblower statute; Iowa Code §70A.28.**

10. **If you have ever held judicial office or served in a quasi-judicial position:**
  - a. **Describe the details, including the title of the position, the courts or other tribunals involved, the method of selection, the periods of service, and a description of the jurisdiction of each of court or tribunal.**
  - b. **List any cases in which your decision was reversed by a court or other reviewing entity. For each case, include a citation for your reversed opinion and the reviewing entity's or court's opinion and attach a copy of each opinion.**
  - c. **List any case in which you wrote a significant opinion on federal or state constitutional issues. For each case, include a citation for your opinion and any reviewing entity's or court's opinion and attach a copy of each opinion.**

**ANSWER:**

**I have never held judicial office.**

11. If you have been subject to the reporting requirements of Court Rule 22.10:
- a. State the number of times you have failed to file timely rule 22.10 reports.
  - b. State the number of matters, along with an explanation of the delay, that you have taken under advisement for longer than:
    - i. 120 days.
    - ii. 180 days.
    - iii. 240 days.
    - iv. One year.

**ANSWER:**

I have never held judicial office.

12. Describe at least three of the most significant legal matters in which you have participated as an attorney or presided over as a judge or other impartial decision maker. If they were litigated matters, give the citation if available. For each matter please state the following:
- a. Title of the case and venue,
  - b. A brief summary of the substance of each matter,
  - c. A succinct statement of what you believe to be the significance of it,
  - d. The name of the party you represented, if applicable,
  - e. The nature of your participation in the case,
  - f. Dates of your involvement,
  - g. The outcome of the case,
  - h. Name(s) and address(es) [city, state] of co-counsel (if any),
  - i. Name(s) of counsel for opposing parties in the case, and
  - j. Name of the judge before whom you tried the case, if applicable.

**ANSWER:**

*Leroy McKinney, Sr., Individually and as Administrator of the Estate of Leroy McKinney, Jr. and Mary McKinney, Warren County, Case No. LACV035885.*

Leroy McKinney, Jr. suffered from schizophrenia, bipolar disease and major depression. He and his family were from Flint, Michigan. Leroy left Flint unannounced and was travelling through Iowa when he had an episode and was arrested in West Des Moines for alleged car theft. During the booking process at the Polk County jail he reported that he suffered from depression and had attempted suicide in the past. He was later transferred to the Dallas County jail where he was eventually interviewed by a jail nurse who worked for CHC; an outside contractor. Leroy reported to the jailhouse nurse that he occasionally had

**suicidal thoughts about hanging himself. He was not placed on suicide watch and two days later hung himself in his jail cell.**

**The McKinney family contacted several lawyers who refused to take their case. I was very impressed with LeRoy's parents and his two sisters. After meeting them for the first time it was apparent how much they loved, cared and grieved for LeRoy despite the difficulties caused by his mental illness.**

**The case was significant because justice is sometime only meted out in small pieces. The McKinney family wanted someone to believe in their cause and wanted those persons who failed to properly care for their son and brother to be held accountable. They also wanted to ensure that this type of tragedy would not befall another family.**

**I was the sole counsel in the case. We filed the Petition in July 2014 and reached separate settlements with the two defendants in April and September 2017.**

**Barbara A. Hering  
Hopkins & Huebner, P.C.  
2700 Grand Avenue, Suite 111  
Des Moines, Iowa 50312  
515-244-0111  
Represented Dallas County**

**Connie L. Diekema  
Finley Law Firm  
699 Walnut Street, Ste. 700  
Des Moines, Iowa 50309  
515-288-0145  
Represented CHC Companies**

***Sanon et. al. v. City of Pella*, 865 N.W.2d 506 (Iowa 2015).**

**In July 2010, Nehmson Sanon, age fifteen, and Gael Chrispin, age fourteen, attended an athletic camp sponsored by the Fellowship of Christian Athletes (FCA). FCA rented the Pella Aquatics center for a nighttime pool party. At the time of the pool party the underwater lights were not turned on and the water was so murky that the lifeguards could not see the drain at the bottom of the deep end of the pool. On July 14, 2010, Nehmson and Gael drowned in the City's pool. The lifeguards eventually found their bodies in the deep end near the main drain.**

**The trial court granted the City's motion for summary judgment finding the City immune from suit. The Supreme Court reversed because a fact issue existed whether the City's conduct amounted to a crime (an exception to immunity) under**

both the administrative regulations and because the conduct arguably satisfied the elements of involuntary manslaughter.

The case was remanded for trial following the appeal. The Sanon and Chrispin families settled with the City of Pella in 2015. A separate settlement was negotiated with FCA in 2016.

Roxanne Conlin and I represented the Sanon/Chrispin families. I was the lawyer primarily responsible for the work done in the trial court and on appeal. The case is significant from a legal standpoint because it creates an exception to government immunity and allows recovery under those circumstances where the conduct causing the injury or death amounts to or otherwise satisfies the elements of a crime. The case is also important because both the City of Pella and FCA have taken steps to avoid similar tragedies from occurring.

**Roxanne Conlin**  
3721 61<sup>st</sup> Street, Suite C  
Des Moines, Iowa 50321  
515-283-1111  
Co-counsel

**Jason C. Palmer**  
Bradshaw Fowler Procter & Fairgrave  
801 Grand Avenue  
Suite 3700  
Des Moines, Iowa 50309-8004  
515-243-4191  
Counsel for City of Pella

**Steven T. Durick**  
6800 Lake Drive #125  
West Des Moines, Iowa 50266  
515-243-2100  
Counsel for FCA

*Robyn L. Meeks v. Allen Memorial Hospital Corporation, Iowa District Court for Blackhawk County (Case No. LACV114860)*

Meeks filed a class action lawsuit on behalf of a putative class of African-American persons who applied for but were rejected for employment, who were passed over for promotional opportunities or were terminated by Allen Hospital. The parties eventually entered into a Consent Decree which established a settlement fund of \$2,000,000 and provided significant injunctive relief for the class. The Claims Administrators paid \$1,050,397.00 to various class members. The remainder of the money was used defray attorneys' fees and costs with the residue paid to African-

**American charities in the Waterloo Area. The case was filed in December 2010 and the Consent Decree entered in April 2013.**

**The case was significant because we were able to make whole a large group of people harmed by discrimination. In addition, the injunctive and other equitable relief incorporated into the Consent Decree deterred similar discriminatory behavior from continuing to occur.**

**Roxanne Conlin  
3721 61<sup>st</sup> Street, Suite C  
Des Moines, Iowa 50321  
515-283-1111  
Co-counsel**

**Frank Harty  
Nyemaster Goode  
700 Walnut Street, Suite 700  
Des Moines, Iowa 50309  
515-283-3170  
Counsel for Allen Hospital**

- 13. Describe how your non-litigation legal experience, if any, would enhance your ability to serve as a judge.**

**ANSWER:**

**I grew up in a large family; three sisters and two brothers. My older brother had Downs Syndrome and my younger brother was deaf. Growing up with two disabled brothers was a life-altering experience. It taught me humility, patience, tolerance and empathy. I have incorporated those characteristics into every aspect of my life including how I interact with my clients and work with opposing counsel and the court.**

**I have raised two wonderful children; one of whom is a lawyer and works for me. I have passed on those character traits to my children and expect that they will treat others as they wish to be treated. This core belief will most certainly lead me to treat all litigants, regardless of whether they are a plaintiff or a defendant, with respect and recognition that litigation is a difficult and trying process on multiple levels.**

- 14. If you have ever held public office or have you ever been a candidate for public office, describe the public office held or sought, the location of the public office, and the dates of service.**

**ANSWER:**

**I have not held public office.**

- 15. If you are currently an officer, director, partner, sole proprietor, or otherwise engaged in the management of any business enterprise or nonprofit organization other than a law practice, provide the following information about your position(s) and title(s):**
- a. Name of business / organization.**
  - b. Your title.**
  - c. Your duties.**
  - d. Dates of involvement.**

**ANSWER:**

**Not applicable.**

- 16. List all bar associations and legal- or judicial-related committees or groups of which you are or have been a member and give the titles and dates of any offices that you held in those groups.**

**Iowa State Bar Association: 1988 to present.**  
**National Employment Lawyers Association: 2000 to present**  
**Polk County Bar Association: 1994 to present.**  
**American Bar Association: 2010 to present.**

- 17. List all other professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed above, to which you have participated, since graduation from law school. Provide dates of membership or participation and indicate any office you held. "Participation" means consistent or repeated involvement in a given organization, membership, or regular attendance at events or meetings.**

**Iowa Association for Justice**  
**505 6<sup>th</sup> Avenue, Suite 630**  
**Des Moines, Iowa 50309**  
**515-280-7366**

**The Iowa Association for Justice ("IAJ") is an organization of approximately 700 Iowa attorneys who serve the legal profession and the public through its efforts to**

strengthen our justice systems, promote injury prevention and foster the disclosure of information critical to the health and safety of all Iowa families. I became an IAJ officer in 2006 and served as president in 2009-2010. I am still an IAJ officer in my capacity as immediate past president.

During my tenure as IAJ President I created and organized an Amicus Committee and continue to serve on that committee. I have been actively involved in writing and editing amicus briefs to the Iowa Supreme Court and the Eighth Circuit Court of Appeals. Those cases include *Ackelson v. Manley Toy Direct, L.L.C.*, 832 N.W.2d 678 (Iowa 2013)(availability of punitive damages under the ICRA), *McQuiston v. City of Clinton, et.al.* , 872 N.W.2d 817 (Iowa 2015)(regarding scope of protection for pregnancy claims under the ICRA) and *Security National Bank of Sioux City, Iowa v. Jones Day*, 800 F.3d 996 (8<sup>th</sup> Cir. 2015)(regarding attorney sanctions for discovery abuse).

Iowa Justice Foundation  
505 6<sup>th</sup> Avenue, Suite 630  
Des Moines, Iowa 50309  
515-280-7366

The Iowa Justice Foundation (“IJF”) provides educational programs and activities to inform and educate the general public and IAJ members of the workings and significance of America’s civil justice system, and thereby increase public understanding and respect for our legal system and improve and advance the quality of legal services provided to the public. I have been on the IJF Board of Directors from 2008 to present.

NAACP Legal Redress Committee: 2010 to 2017. This Committee closely monitors statutes, caselaw and other conduct within the community that may adversely impact African-Americans and other minorities.

Iowa Grievance Commission: 2013 to present.

FINRA Dispute Resolution Board of Arbitrators: 2004 to present.

American Arbitration Association: Certified Arbitrator 2017 to present.

18. If you have held judicial office, list at least three opinions that best reflect your approach to writing and deciding cases. For each case, include a brief explanation as to why you selected the opinion and a citation for your opinion and any reviewing entity’s or court’s opinion. If either opinion is not publicly available (i.e., available on Westlaw or a public website other than the court’s electronic filing system), please attach a copy of the opinion.

**ANSWER:**

**I have not held judicial office.**

- 19. If you have not held judicial office or served in a quasi-judicial position, provide at least three writing samples (brief, article, book, etc.) that reflect your work.**

**ANSWER:**

**Attached.**

## OTHER INFORMATION

20. If any member of the State Judicial Nominating Commission is your spouse, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, father, mother, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, state the Commissioner's name and his or her familial relationship with you.

ANSWER:

Not applicable.

21. If any member of the State Judicial Nominating Commission is a current law partner or business partner, state the Commissioner's name and describe his or her professional relationship with you.

ANSWER:

Not applicable.

22. List the titles, publishers, and dates of books, articles, blog posts, letters to the editor, editorial pieces, or other published material you have written or edited.

*Justice Suffers from Deep Budget Cuts*, Des Moines Register (January 13, 2010).

*A Closer Look*, Des Moines Business Record (November 30, 2009).

*Preventable Medical Mistakes Killing Us*, Des Moines Register (September 28, 2009).

*Foley Scandal Spotlights Sexual Harassment of Teens*, Trial (January 2007)

*Will \$250,000 Make a Person 'Whole'?*, Des Moines Business Record (April 5, 2004)

Note, *The Tort Liability of Mall Owners for the Criminal Conduct of Third Parties*, 36 Drake L. Rev. 755 (1986-87); reprinted in, 1989 Personal Injury Review 604 (1989).

23. List all speeches, talks, or other public presentations that you have delivered for at least the last ten years, including the title of the presentation or a brief summary of the subject matter of the presentation, the group to whom the presentation was delivered, and the date of the presentation.

***Let the Case Speak for Itself: Using Video in Mediation & Settlement (IAJ) November 10, 2016***

***What You Didn't Learn in Law School: How to Effectively Manage a Law Practice (Iowa State Bar Association) October 14, 2016.***

***Whistleblower Litigation (Iowa Academy of Trial Lawyers) February 2015.***

***Governmental Immunity (Iowa Academy of Trial Lawyers) February 2014.***

***Pursuing Claims Against Governmental Entities: Lessons from the Trenches (IAJ) August 13, 2013.***

***Legislative Update (IAJ) April 23, 2010 and November 4, 2013.***

**IAJ Presidential Farewell Speech, Embassy Suites, Des Moines (November 4, 2010). The speech was primarily acknowledgments and thanks to members, the board of governors, officers and staff for their support.**

**IAJ Presidential Inaugural Speech, Embassy Suites, Des Moines (November 5, 2010). The theme of the speech was the rule of law and the unique and vital role that lawyers, judges and the courts have in maintaining a just and civil society.**

***Iowa Equal Pay Act (IAJ) 2010.***

***Sexual, Racial and Other Harassment in the Workplace (National Business Institute) October 27, 2008.***

***Winning Your First Civil Trial (National Business Institute) December 20, 2006.***

***Medical Discovery in Employment Cases (ITLA) April 21, 2006.***

***Advanced Personal Injury Practice in Iowa (National Business Institute) February 17, 2005.***

***The Continuing Violation Doctrine in Iowa, (ITLA) April 30, 2004.***

***Discovery in Employment Cases, (ITLA) April 25, 2003.***

***Ethical Considerations in Employment Discrimination Cases (ITLA) June 7, 2002 and November 7, 2003.***

***Success Against the Biomechanical Defense Expert (ITLA) August 24, 2001.***

***Personal Injury Settlements in Iowa: Practical Methods for Perfecting the Settlement of a Claim (National Business Institute) May 7, 1999 and August 23, 2002.***

*Compulsory Arbitration: NELA (local) March 30, 2001.*

24. List all the social media applications (e.g., Facebook, Twitter, Snapchat, Instagram, LinkedIn) that you have used in the past five years and your account name or other identifying information (excluding passwords) for each account.

Facebook: <http://www.facebook.com/thomas.duff.16>

LinkedIn: <http://www.linkedin.com/feed>

25. 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.

University of Iowa  
B.A. (English) 1985  
National Dean's List 1983-1984

Drake University Law School  
J.D. with Honors 1988  
American Jurisprudence Award Winner for Remedies  
American Jurisprudence Award Winner for Constitutional Law I

Iowa Association for Justice  
Key Person Award-2012  
In recognition of advocacy for the rights of injured Iowans during several sessions of the Iowa General Assembly.

Iowa Association for Justice-2011  
Roxanne Conlin Public Justice Award  
In recognition of successful litigation to improve the quality of, and access to, communications for deaf and hard-of-hearing patients at Mercy Medical Center.

AV Preeminent Rating-Martindale-Hubbell (2014-2019)

26. Provide the names and telephone numbers of at least five people who would be able to comment on your qualifications to serve in judicial office. Briefly state the nature of your relationship with each person.

Roxanne Barton Conlin  
515-283-1111  
I worked for Ms. Conlin from 1993 to 2003. We have continued sharing cases and working together since 2003.

**Steven T. Durick**  
**515-243-2100**

**Mr. Durick was opposing counsel in *Sannon et. al. v. City of Pella*.**

**David Brown**  
**515-244-2141**

**Mr. Brown and I have been opposing counsel on several cases.**

**Jeff Peterzalek**  
**515-281-5164**

**Mr. Peterzalek and I have been opposing counsel on several cases.**

**Barbara Hering**  
**515-244-0111**

**Ms. Hering and I have been opposing counsel on several cases.**

**27. Explain why you are seeking this judicial position.**

**While in law school, I considered the possibility of a career in the judiciary. This curiosity is what caused me to pursue a position as a judicial law clerk. After working for a trial judge, I immediately knew that my long-term career goal was becoming a member of the judiciary. Throughout my legal career I have challenged myself both inside and outside the courtroom, but with a view toward sharpening the skills that would make me a better judge. I have a diversified civil practice that is both intellectually challenging and at times physically exhausting. I became a FINRA and AAA arbitrator to gain experience as a neutral. Finally, I have demonstrated a commitment to public service through my work with IAJ and other volunteer activities.**

**I love to write. It is very clearly my best skill. My analytical and writing skills have been sharpened by practicing complex areas of the law such as employment discrimination, civil rights and product liability. I am a mild-mannered person and possess a temperament well suited to the judiciary. My experience working with IAJ has developed my leadership and consensus building skills.**

**28. Explain how your appointment would enhance the court.**

**My experience representing both plaintiffs and defendants gives me a balanced approach to the law and facts. I understand the financial cost to corporations and commerce that can result from the expansion of the law by either the legislature or the courts. I have also had the distinct privilege of representing individuals. I understand the hardships of those who have suffered physical, emotional and financial loss.**

**I have also been extremely fortunate to have had excellent mentors during my legal career. Judge Clarke taught me invaluable lessons about the interworking of a trial court and the evenhanded dispensation of justice. As a defense lawyer, I**

**worked with several excellent trial lawyers who taught me the ropes of discovery and trial practice. For the last 26 years I have had the privilege of working with Roxanne Conlin; one of the premier litigators in the country.**

**The Iowa Court of Appeals is an extremely hard-working court and I will bring my strong work ethic to the court. I regularly work nights and weekends and anticipate continuing to do so if allowed to serve. My law practice is such that I file and defend numerous motions and briefs with most requiring extensive legal research and fact analysis. I am frequently required to defend summary judgment motions while also performing the multitude of tasks necessary to keep a solo law practice functioning and profitable. In short, I have developed a skill set that allows me to work quickly and efficiently without compromising the quality of the work product.**

**Finally, I believe it is vital for all Iowa courts to improve their image and communications with the public. Through my work on the IAJ executive committee and as IAJ president I learned to effectively communicate about our civil and criminal justice systems. I will bring that knowledge, experience and skill to the court.**

- 29. Provide any additional information that you believe the Commission or the Governor should know in considering your application.**

**I am the only lawyer in my family. Neither of my parents went to college, but they made sure that my brothers and sisters had that opportunity. My parents instilled in us the value of hard work, perseverance and compassion for others. I have tried to pass those values on to my children and incorporate them into my personal and professional life.**