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6/21/21

**DISTRICT 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.

Joel Andrew Walker

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

Attorney at the Law Office of Joel Walker, P.C. and Judicial Magistrate in Muscatine County.

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

May 8th, 1975

4. State your current city and county of residence.

City of Davenport and County of Scott.

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.

- a. Thomas M. Cooley Law School, 9/2001- 5/2004, Juris Doctor, Graduated.
- b. St. Ambrose University, 9/1995- 5/1998, Bachelor of Arts, Graduated.
- c. Scott Community College, 9/1993-5/1995, Associates of Arts, Graduated.

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.

Since law school:

- Judicial Magistrate; Muscatine county; 9/2019- present; Muscatine County Courthouse, 401 E. 3rd Street, Muscatine, Iowa 52761; Judge Thomas Reidel.
- Law Office of Joel Walker, P.C.; attorney at law, 11/2007 – present; 710 E. Kimberly Rd., Ste. #6, Davenport, IA 52807, self.
- Pillers & Richmond Law Firm; 1/2007- 11/2007; 1415 11th St A, DeWitt, IA 52742; David Pillers.
- Clinton County Attorney's Office; Assistant County Attorney; 11/2005- 1/2007; 612 N. 2nd St., Clinton, IA 52732; Michael Wolf.
- Law Office of Joel Walker; attorney at law; 3/2005 – 11/2005; 116 E. 6th Street, Davenport, Iowa 52803; self.
- Winstein, Kavensky, and Wallace; associate attorney; 10/2004- 3/2005; 224 18th Street, 4th Floor, Rock Island, IL 61201; David Cunningham.

Since college:

- Radisson Hotel; customer service representative; 5/2001- 8/2001; 517 Grand Canyon Dr, Madison, WI 53719; Gail LNU (Last Name Unknown).
- Target; customer service representative; 1/2001- 8/2001; 201 Junction Rd., Madison, WI 53717; I don't remember my supervisor's name.
- Eddie Bauer; customer service representative; 10/2000-1/2001; 66 West Towne Mall Space, Madison, WI 53719; I don't remember my supervisor's name.
- Budget Rent-a-Car; 12/1999-5/2001; customer service representative; 4000 International Ln, Madison, WI 53704; Lisa Basil.
- A-1 Furniture and Mattress; salesperson; 9/1999-12/1999; 2002 S. Stoughton Rd, Madison, WI 53716; John Canenella.
- National Youth Sports Program; Swim Instructor/Lifeguard; 5/1999- 6/1999; c/o St. Ambrose University, 518 W. Locust St., Davenport, IA 52801; Ray Shovlin.
- Cheddar's Restaurant; Waiter & Bartender; 1/1997- 9/1999; 1225 K. Kimberly Rd., Davenport, IA 52807; Bob Giese (deceased).

- 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.

Not applicable.

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.

- Iowa; 9/2004; no lapses.
- Missouri; 4/2006; one lapse. I did not send in my renewal paperwork and my license was inactive until I filled out, paid, and sent in my renewal paperwork.

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.

I am a litigator, primarily practicing in the areas of Criminal Law and Family Law. Most of my clients are indigent and I am court-appointed to represent them. Most of my Family Law clients cannot afford to pay the full retainer so I accept whatever I can get out of them and put them on a payment plan for the rest of the retainer. I practice about sixty percent (60%) of my time in Criminal Law and twenty-nine percent (29%) of my time in Family Law. The remainder of my time I practice in Probate and Estate Planning. When I started practicing, I was taking a lot of court appointed cases in Juvenile Law; however, as my practice grew, I took less court appointed juvenile cases and started practicing more in Family Law. My areas of focus, and approximate distribution percentage, has not significantly changed over the last few years.

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.

Less than one (1%) of my time has been in Appellate Court and Administrative Hearings before an Administrative Law Judge for Parole Violations, Iowa Department of Transportation Hearings, or Department of Human Services Hearings.

c. The approximate percentage of your practice that involved litigation in court or other tribunals.

Ninety-nine percent (99%).

d. The approximate percentage of your litigation that was: Administrative, Civil, and Criminal.

- Administrative: One percent (1%)
- Criminal: Seventy percent (70%)
- Civil: Twenty-Nine (29%)

- 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.

I have tried twenty-nine (29) jury trials to completion with twenty-eight (28) of them being chief/sole counsel. I have tried over one hundred (100) trials to the bench with all of them being chief/sole counsel.

In my career, I have tried over thirty-seven (37) cases to a jury including seven (7) as a prosecuting attorney, one (1) as a civil defense counsel, and the rest as a criminal defense counsel. I have tried jury trials from simple misdemeanors to class "A" felonies.

- 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.

I have taken about five (5) Appeals with all of them being ruled on without Oral Argument.

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

- a. Approximate number of pro bono cases you've handled.

I have taken approximately fifty (50) cases in my last ten (10) years estimating about five (5) cases per year.

- b. Average number of hours of pro bono service per year.

I average around seventy-five (75) hours of pro bono cases per year.

- c. Types of pro bono cases.

All of my cases have been in the fields of Family Law and Estate Planning.

10. If you have ever held judicial office or served in a quasi-judicial position:

Yes, I have been a Judicial Magistrate in Muscatine County for one (1) year and nine (9) months.

11. 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.

I am a Judicial Magistrate in Muscatine County. I interviewed with the Judicial Magistrate Nomination Committee to fill the vacancy left by the passing of Judge Neva Baker. The Committee is made up of a District Court Judge, two lawyers from the Muscatine area, and three laypersons. The Committee meets in secret and votes. I was honored to be appointed to replace Judge Baker. I was reappointed to the same position in May of 2021. I have been serving as a Judicial Magistrate for one (1) year and nine (9) months. I preside over all indictable criminal cases until the Defendant is indicted, over all non-indictable cases, Small Claims, Eviction Court, and Mental Health and/or Substance Abuse Commitment Hearings.

12. 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.

Not applicable.

13. 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.

City of Muscatine vs. Danny Eugene Chick, Jr./MUCICR063395. (Attached).

14. 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.

I have filed all of my Rule 22.10 reports in a timely fashion.

- b. State the number of matters, along with an explanation of the delay, that you have taken under advisement for longer than:

- 120 days: Zero (0).
- 180 days: Zero (0).
- 240 days: Zero (0).
- One year: Zero (0).

15. 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.

- *State of Iowa vs. Benton MacKenzie*, FECR354410, Scott County, Iowa.

The Defendant, Benton MacKenzie, was dying of cancer. He alleged that he was growing marijuana in order to treat his cancer. He was caught, arrested, and charged with Possession of a Controlled Substance- namely marijuana, Manufacturing Marijuana, and Conspiracy to Commit a Non-Forcible Felony. The original attorney defending Mr. MacKenzie was removed from the case and I was appointed to represent him one month before trial. It was a high-profile case that was receiving heavy media attention. The Defendant would not plead guilty to anything and exercised his Constitutional Right to a Jury Trial. The Defendant wanted to argue a Medical Marijuana Defense, which does not exist under Iowa Law. Iowa has not legalized the use of marijuana for medical purposes and my client wanted to use his case to change the law. After the State rested, my client took the stand, outside the presence of the jury, to make an offer of proof that he was growing marijuana to treat his cancer. Because the evidence and the law were overwhelmingly against my client, the only thing I could do was make a record for an Appeal while at the same time not saying or doing anything inappropriate that would result in a mistrial. Ultimately, the Defendant was convicted and appealed his conviction, but passed away before the Court of Appeals could rule on his case and his appeal was dismissed.

I represented Benton MacKenzie. I was Mr. MacKenzie's attorney. I was appointed to represent him in June of 2014, the jury trial was in July, and he was Sentenced in August of 2014. The verdict was Guilty, the County Attorney was Patrick McElyea, and the case was heard before the Honorable Judge Henry Latham.

- *State of Iowa vs. Durell Parks*, FECR379548, Scott County, Iowa

Several people were at LeClaire Park in Davenport, Iowa playing Pokemon Go. Towards the evening hours, two to three men attacked and stabbed a man to death. Three people were eventually charged with Murder in the First Degree, and I was appointed to represent one of the defendants, Durell Parks. While I had been practicing for over twelve years and had tried thirty (30) jury trials, this was my first Class "A" Felony. I was proud that the Judge had confidence in my abilities to defend someone charged with a Class "A" Felony. I thoroughly reviewed the Trial Information, Minutes of Testimony, and Police Reports and I learned that this was going to

be a case of Motive and Identification. Along with co-counsel, Mike Motto and a Public Defender from Cedar Rapids, we spent three days deposing over 30 witnesses and through my examination of witnesses, I was able to discover that one of the other co- Defendants had a motive to attack and kill the victim while my client had no such motive. I was also able to discover that there was a lot of doubt as to whether my client actually participated in the attack.

This case was significant because of the severity of the charges with the dismissal of the most serious charge of Murder in the First Degree. I was the attorney for and represented Mr. Parks.

He pled guilty to Willful Injury with Murder in the 1st Degree being dismissed. County Attorneys were Kim Shepherd and Steve Berger. The case was heard (plea and sentencing) before the Honorable Judge Thomas Reidel.

- *In re the Matter of: M.D., S.D., L.D., and J.D., Scott County, Iowa*

In March of 2005, I was appointed to be the Guardian Ad Litem to four (4) minor children. The children were removed from the care of their parents because the parents were allegedly abusing alcohol and controlled substances and they were neglecting their children. The children were removed from their parents and placed with a cousin. The cousin and her spouse were very interested in adopting the children if reunification was unsuccessful. I researched the applicable statutory and case law, I interviewed the parents as well as other family members, I reviewed all the reports by the Department of Human Services and cooperating agencies, and I wrote several Guardian Ad Litem Reports to the Court. At every court hearing, the parents would break down crying, begging for additional time for reunification. Every single time, I held my ground and said, “No. The children needed permanency and the children could not sit around waiting for their parents to ‘get their act together’.” I was teased by some of the other attorneys about my firm stance after each hearing, but I never took the teasing personally. As Guardian Ad Litem, I have a job to do. My job is to represent the best interest of the children and I was not going to put my legal obligations on hold for these two parents who would “talk the talk, but not walk the walk.” I learned a very valuable lesson on my very first CINA case: actions speak louder than words.

I represented the minor children as their Guardian Ad Litem. I believe any case involving revoking parental rights is significant because children deserve a safe, loving home and parents should be their caretakers, not the State of Iowa. March of 2005 – conclusion of case. The parents parental rights were terminated and the children were adopted by a relative. The County Attorney was Gerda Lane and the case was heard before the Honorable Judge John Mullen.

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

As a former teacher, I learned early-on that one needs to be strict and firm early on to establish a repour with people. It is easier to be hard and progress to soft than it is to be soft and progress to being hard. Also, as a parent to two (2) teenage daughters, I know

the importance of being firm, fair, and, most importantly, consistent. The last thing I want to do is show favoritism or impartiality to one daughter over the other. I coach my daughters' softball teams and I work with teenage children. You have to have a special level of patience to work with, teach, and educate teenage children. It is especially more trying when we have an inexperienced umpire who is making bad calls. I have to explain to them the rule and, more importantly, how an umpire interpreted that rule.

17. 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.

Not Applicable.

18. 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.

Not Applicable.

19. 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, 9/2004 – present.
- Iowa Trial Lawyers Association, 1/2005 – present.
- American Trial Lawyers Association, 5/2005 – present.
- Missouri State Bar Association, 5/2006 – present.
- Scott County Bar Association, 5/2007 – present. I was elected to and served as Executive Council Member from 5/2013 – 5/2018.
- Iowa Magistrates Association, 9/2019 – present.

20. 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.

- Quad City Parrothead Club, a Jimmy Buffett fan club where we do charity work, highway clean up, volunteering, and benefits for low-income persons, charity groups, and/or persons in need. I have been a founding member since 1/2004 – present. I was more involved in their early years before I had children.

- Knights of Columbus, a Catholic organization wherein we do charity work for our church (Holy Family Catholic Church) and community. I was initiated into the organization in October of 2009 and was an active member through December of 2014.
- Finance Council Member for Holy Family Catholic Church. I served on the board from May of 2010 to May of 2012. We would count and account for all contributions to the church and vote on how to spend the money. We, as a committee, provided information and feedback to the Parish Council (as a whole) as well as to the Knights of Columbus.
- FRIENDS of the Davenport Public Library, Council Member. I served as a board member from March of 2009 to March of 2014. We helped create, organize, and volunteer at different activities hosted by the Davenport Public Library system.

21. 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.

I chose the attached cases to establish my style of writing, how I ruled on every case that comes before me, and they help show the variety and types of cases that come before me as a Judicial Magistrate.

22. 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.

Not Applicable.

OTHER INFORMATION

23. If any member of the District 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.

Not Applicable.

24. If any member of the District 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.

Not Applicable.

25. 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.

Not Applicable.

26. 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.

Not Applicable.

27. 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: Joel Walker (personal) and Law Office of Joel Walker (business)

Instagram: joel_a_walker

Twitter: @joelwalker58

28. 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.

- William B. Waterman Volunteer Attorney of the Year Award, presented by Chief Judge Marlita Greve, 5/2015.
- Michigan State-Detroit College of Law National Trial Advocacy Competition, Semi-Finalist, Best Advocate, Best Opening Statement
- Mock Trial Invitational, Winner, Best Advocate
- First-Year Criminal Procedure Moot Court Competition Winner, Second Best Advocate, Best Advocate of the Finals
- Intra-School Moot Court Competition, Semi-Finalist, Tenth Best Advocate
- Mock Trial Competition, Semi-Finalist
- Student Bar Association, Senator
- Certificate of Merit, Advanced Criminal Law and Moot Court

29. 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.

- Eric Syverud, (563) 441-0269, attorney-at-law, and we office shared together for twelve (12) years.
- Matthew Gannon, (309) 912-5201, attorney-at-law, and we office shared together for three (3) years.
- Andrew Zinn, (563) 505-2259, teacher, and he has called me to go to West High School for Senior Day to discuss the legal consequences of possessing and/or consuming alcohol focusing primarily on operating while intoxicated.
- Father Paul Appel, (563) 320-0141, and he is my Catholic priest at Holy Family Catholic Church.
- Ian Marietta, (563) 940-0252, he is a fellow parishioner at Holy Family Catholic Church, friend, and we served together on the Knights of Columbus.
- Kaitlyn Teckenburg, (563) 570-3224, Court Administrator in Muscatine County, she has observed me as a Judicial Magistrate.

30. Explain why you are seeking this judicial position.

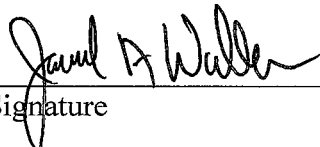
I love the law and I have a deeper love of the law since I was appointed a Judicial Magistrate. While I was in law school, I never had expectations of becoming a Judge but that changed with my Magistrate appointment. I want this position because I work best in a position where I am always busy

31. Explain how your appointment would enhance the court.

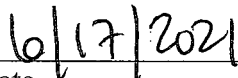
I believe I would continue to bring a firm, fair, and consistent approach to dealing with the cases I preside over if appointed to be a District Court Judge. I have substantial knowledge of the law that I would be required to apply. I am a people-person and I enjoy working in a fast-paced fashion. I have a very calm demeanor I would be able to preside over impatient and tempered parties. I love to conduct research on various issues in the law and learning new things. Lastly, I would continue to treat all persons appearing before me with respect and equality without bias or prejudice.

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

In the fall semesters from 2008 through 2015, I coached the All Saints Junior High School Mock Trial team, taking my final team to State. I also coached the Central High School Mock Trial team, once again advancing them to State.



 Signature



 Date