

**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.**

Mary Elizabeth Chicchelly

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

Iowa District Court Judge – Sixth Judicial District

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

December 1, 1967

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

Cedar Rapids, Linn 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.

College(s) and Law School(s) – and reason for leaving, if applicable	Dates Attended (Mo/Yr to Mo/Yr)	Degree(s)	Month/Yr Received
National Judicial College, General Jurisdiction, Reno, NV	04/14-05/14	Course Completed	May 2014
University of Iowa College of Law, Iowa City, Iowa	08/89-05/92	J.D.	May 1992
University of Iowa, Iowa City, Iowa	08/86-05/89	B.A.	May 1989

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.

Judicial Experience March 29, 2013 – Present. See Answer to No. 10 below.

January 1997 – February 2013: Beginning in January 1997, I practiced law as a partner with the firm Seidl & Chicchelly, P.L.C. Initially, our offices were located at 776 13th Street Marion, Iowa. On February 1, 2003, the firm moved its offices to 229 Northland Court, Cedar Rapids, Iowa. During my time at this firm, my primary areas of practice were family and juvenile law, as well as civil, criminal and probate. I remained in private practice at Seidl & Chicchelly until my appointment to the District Court bench. Knowledgeable colleagues include my former law partners, Phillip Seidl and Mark Seidl.

April 1995 – January 1997: In April 1995, I began practicing law at Gallagher, Langlas & Gallagher, 405 East Fifth Street, Waterloo, Iowa, as an associate attorney, with primary areas of focus in criminal and family law, probate, personal injury and insurance defense. I left this firm to start my own firm with two of my attorney siblings. Knowledgeable colleagues include Cynthia Sueppel and Jeff Peterzalek.

July 1993 – April 1995: In July 1993, I began practicing law at the Coleman Law Firm, Third Floor, Wells Fargo Center, 800 Central Avenue, Fort Dodge, Iowa, as an

associate attorney, with primary areas of focus in criminal and family law. A knowledgeable colleague at this firm would be Joseph Coleman, Jr.

July 1992 – July 1993: In July 1992, upon my graduation from law school, I began a one-year position as a judicial law clerk for the Second Judicial District of Iowa, Cerro Gordo County Courthouse, 220 North Washington Avenue, Mason City, Iowa. In that position, I performed legal research and drafting for seven District Court Judges on various legal issues. A knowledgeable colleague relative to my work as judicial clerk would be Retired District Court Judge Stephen Carroll.

May 1991 – May 1992: In May 1991, commencing at the end of my second year of law school, I began working as a law clerk for Clark, Butler, Walsh & McGivern, 315 East Fifth Street, Waterloo, Iowa. At that firm, I served as law clerk for multiple attorneys, and performed legal research and writing on insurance defense and civil litigation matters. A knowledgeable colleague at this firm would be Timothy Hamann.

January 1990 – May 1991: In January 1990, during my first year of law school, I began working as a law clerk for the Tom Riley Law Firm, 4040 First Avenue, N.E., Cedar Rapids, Iowa. At that firm, I served as a law clerk for multiple attorneys, and performed legal research and writing relative to personal injury matters. Knowledgeable colleagues include Hugh Albrecht and T. Todd Becker.

May 1989 – August 1989: Immediately upon my graduation from college, I was employed as a congressional intern by Congressman Tom Tauke, Rayburn House Office Building, Washington, D.C. In my position as a congressional intern, I researched issues important to the Congressman and his constituents, attended meetings and briefings and informed the Congressman of any pertinent information received, corresponded with constituents, answered phones and assisted in miscellaneous office tasks. My supervisor was Congressman Tom Tauke.

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.

I trained with the United States Marine Corps at Officer Candidates School, Quantico, Virginia during the summer of 1988. My rank at the time was Officer Candidate. I injured both of my legs in training, and returned to Iowa to recuperate, receiving a medical discharge from U.S.M.C. in November 1988.

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.

I was admitted to the bar of the State of Iowa in June 1992 with no lapse in membership.

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.

01/90-05/92 Law Clerk. While in law school, I performed research and writing on various issues for two personal injury law firms. The Tom Riley Law Firm handled plaintiff claims for individual personal injury plaintiffs, and Clark, Butler, Walsh and McGivern handled primarily insurance defense for large insurance carriers. My research and writing for these firms focused in these areas almost without exception. During this time frame, I also second-chaired a number of personal injury trials while employed with Clark, Butler, Walsh & McGivern, representing the defendant insurance carrier in those matters.

07/92-07/93 Judicial Clerk. As a judicial clerk for Iowa Judicial District 2A, I researched and wrote in virtually every area that involved the District Court, including civil litigation, family law, criminal law, probate, mental health committal appeals, and other disputes.

07/93-04-95 Private Practice in a small rural firm. While at the Coleman Law Firm in Fort Dodge, I handled criminal matters, including trials, as well as civil litigation and family law matters. Criminal cases constituted 70% of my work, and civil and family law litigation constituted the remaining 30%. Typical clients were criminal defendants generally under the age of 35, and family law clients of all ages.

04/95-01/97 Private practice in a larger, more urban firm. While at Gallagher, Langlas & Gallagher in Waterloo, I continued to handle criminal matters (35% of my practice at that time), and also handled personal injury and medical malpractice claims (35% as well). In addition, I began to try family law cases including divorce and custody modifications (20%) and worked on probate matters (10%). Typical clients during this time frame included individual personal injury plaintiffs, criminal defendants under the age of 50, and insurance carriers.

01/97-05/04 Private practice in large metropolitan area. As I began my years at Seidl & Chicchelly, I continued to handle criminal matters (35%), prepared client tax returns (5%), handled personal injury claims (10%) and began to handle a larger percentage of family law cases (50%). This percentage also included a growing number of juvenile cases. Typical clients included young criminal defendants, individuals of all ages who required assistance with divorce proceedings or personal injury claims, and parents and children involved in juvenile court matters. My practice area percentages remained fairly steady until roughly 2004, at which point I took on a high profile criminal representation in conjunction with the Linn County Public Defender's Office. That year, I was privately hired by a defendant's family to represent him in the defense of a First Degree Murder charge. Most of my remaining practice was managed by my law partners as I immersed myself in this criminal defense. Approximately one-half of my practice was in criminal casework during that time frame.

05/04-03/13 Private practice in large metropolitan area. In the years following my involvement in the aforementioned murder case, my reputation as a litigator grew exponentially. Rather than focusing on criminal representation, however, I found that I enjoyed the challenge of family law and had reached a high level of experience and expertise in that area. Accordingly, my law practice became more focused on family law, collaborative family law and mediation. As of the end of 2012 and just before my appointment to the bench, family law constituted approximately 80% of my caseload. I also continued to write wills and trusts, handle guardianship and conservatorship matters and some personal injury cases. My typical clients were individuals seeking assistance with various family law matters, probate issues and personal injury claims. My final jury trial in April 2010 was a federal diversity case which I tried as co-counsel in the U.S. District Court for the Northern District of Illinois, resulting in a favorable verdict for our clients.

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.

As an attorney, I spent 50-60% of my time meeting with and advising clients, working on pleadings and discovery, engaging in settlement negotiations, and preparing matters for hearings and trials. I also provided legal consultations for prospective clients, prepared wills, tax returns and other legal documents, and assisted parties with mediation.

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

Approximately 45-50% of my practice involved litigation in state court, and less than 5% litigation in federal district court.

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

Administrative	1%
Civil	
General civil	15%
Domestic	60%
Juvenile	10%
Probate	4%
Criminal	10%

For the first ten years of my practice, these percentages were approximately 60% civil and 40% 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.

During the past ten years, I tried approximately 60 cases as an attorney. In all but two, I was sole counsel for my clients. On the remaining two, I was co-counsel with duties shared between counsel in an equal manner. 95% of these trials were non-jury trials, and the remaining 5% were jury trials.

Additionally, within the past six and one-half years I have presided over approximately 200 trials as a District Court Judge. This number does not include cases which were individually assigned to me for case management, but later were settled, dismissed, or pled, nor does it take into account the numerous motion hearings, temporary and miscellaneous hearings over which I have presided. Sixth Judicial District statistics indicate that the average number of case dispositions per year per District Court Judge is 1085. Thus in 6.5 years on the bench, this suggests that I have rendered roughly 7,000 case dispositions, though most of those did not require a trial. While on the bench, approximately 15-20% of my trials have been jury trials, with the remaining 80-85% being non-jury trials.

- 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.**

Because I have been a District Court Judge for six and one-half of the past ten years, I have not participated in any appeals within that time frame. However, from 1999 through 2009, I appealed eleven cases to the Iowa Court of Appeals as sole counsel, and one case to the Iowa Supreme Court as associate counsel.

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

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

In the past ten years (essentially, in the three years prior to my appointment to the bench), I handled more than fifty pro bono cases.

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

I provided, on average, forty to fifty pro bono service hours per year as a practicing attorney.

- c. Types of pro bono cases.**

My pro bono service consisted of representation of litigants in family law matters including divorces, custody and child support matters.

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.**

I have served as a District Court Judge for the Sixth Judicial District of Iowa from February 2013 to the present time. I was appointed to this position through the merit selection process by Governor Terry Branstad. In Iowa, the District Court is a Court of general jurisdiction, including felony and indictable misdemeanor criminal matters, civil matters exceeding \$10,000 in value, equity matters such as divorce and custody, as well as probate, property foreclosures, worker's compensation appeals, small claims appeals and mental health committal appeals. As a District Court Judge, I routinely preside over criminal and civil jury trials, including murder cases, complex probate cases, medical malpractice cases and personal injury matters. I also preside over bench trials conducted either in law or in equity, such as lien foreclosures, divorces and custody matters. While I spend

approximately seven months each year on either presiding or trial dockets in Linn County, the second most populated county in our state, I also preside for one month apiece in four rural counties (Jones, Tama, Benton and Iowa) on a rotating basis, and serve on either a trial or presiding docket in Johnson County (Iowa City) for 1-2 months of each year.

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.

In my past six and one-half years on the bench, I have had two decisions *partially* reversed, and one decision reversed but then subsequently affirmed.

1. In Langholz v. Brumbaugh, Linn County Case Number EQCV079534, I granted injunctive relief to a father requesting that a softball coach be kept away from his young daughter. In entering this injunction, which contained factual findings that in my judgment I felt would be embarrassing and potentially harmful to the young child at the center of the controversy, I further ordered that the ruling should remain sealed to protect her best interests. The child's father, appealed as he wanted the ruling to be made public. On appeal, in No. 15-0547, the Iowa Supreme Court affirmed my ruling on the injunction in its entirety. However, the Court reversed and remanded *in part* relative to my decision to seal the ruling, indicating that while sealing the ruling may be an appropriate remedy, a hearing should be held in accordance with Iowa Code Section 22.8 to make this determination. On remand, I conducted a hearing in accordance with Iowa Code 22.8. In accordance with that statute, the burden of proof was on Defendant Brumbaugh, the softball coach, to prove that the ruling should remain sealed. As a self-represented litigant, Mr. Brumbaugh struggled with this burden of proof, and I was unable to find that he had met the required burden at the conclusion of the hearing. Thus, though I did not like the result, I adhered to the rule of law and ordered that the ruling be unsealed. My decision in Case Number EQCV079534 accompanies this application. The Supreme Court's decision in No. 15-0547 can be found on the Iowa Judicial Branch website.
2. Bos v. Climate Engineers, Linn County Case Number CVCV085324, involved a Plaintiff's appeal to the District Court of an agency ruling granting the Plaintiff worker's compensation benefits. I ruled that the agency's conclusion with regard to the Plaintiff's entitlement to benefits for a shoulder injury was correct, but that the Plaintiff had failed to prove his alleged mental condition was causally related to his work injury. Further, I ruled that one expert's report had not been timely provided and should have been excluded from evidence. Thus, I remanded the matter to the agency for reconsideration

without the improperly admitted evidence. In No. 17-0159, the Iowa Court of Appeals affirmed my ruling that the Plaintiff had failed to prove his alleged mental condition was causally related to his work injury and was supported by substantial evidence. The Court, however, finding that admissibility of expert reports is within the discretion of the agency, reversed my decision to reverse the deputy commissioner's admission of an expert's vocation report which I had found to be untimely provided. My decision in Case Number CVCV085324 accompanies this application. The Court of Appeals decision in No. 17-0159 can be found on the Iowa Judicial Branch website.

3. Morales Diaz v. State, Tama County Case Number PCCV007389, was a post-conviction relief matter wherein Mr. Diaz, the Applicant, alleged that he had ineffective assistance of counsel in his underlying criminal matter in that he was not advised by counsel that he would be deported in the event he signed a written plea of guilty to an aggravated forgery charge. After trial, I ruled that Mr. Diaz had not had effective counsel during the plea process, and further ordered that his guilty plea should be rescinded and the matter set back upon the docket. My ruling was initially reversed by the Iowa Court of Appeals at S. Ct. 15-0862. **However, the Iowa Supreme Court granted further review and affirmed my ruling in its entirety, with special concurrences by Justices Mansfield, Zager and Waterman.** My decision in Case Number PCCV007389 accompanies this application. The Court of Appeals and Supreme Court decisions in No. 15-0862 can be found on the Iowa Judicial Branch website.

- 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.**

As a District Court Judge, I frequently issue rulings in criminal cases involving state constitutional issues. Such issues arise on a regular basis in the form of Motions to Suppress Evidence regarding 4th Amendment search and seizure issues and 6th Amendment right to counsel issues in the context of criminal confessions.

The following are rulings I have written concerning significant state constitutional issues. Copies of each ruling accompany this application.

State v. Diamonay Richardson, FECR105915, S. Ct. 14-1174, Sentencing
State v. Diamonay Richardson, FECR105915, S. Ct. 14-1174, Mot. to Suppress.
State v. Diamonay Richardson, FECR105915, S. Ct. 14-1174, Detention Motion.
Roberto Morales Diaz v. State, PCCV007389, S. Ct. 15-0862, Trial Ruling.

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.**

I have never failed to file a timely rule 22.10 report.

- 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. 0**
- ii. 180 days. 0**
- iii. 240 days. 0**
- iv. One year. 0**

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.**

Significant legal matter #1:

- a. State v. Goddard**
- b. This matter was a First Degree Murder case in the Iowa District Court in and for Linn County in which our client was charged with murdering his wife's young child.**
- c. This case was significant to the extent that co-counsel and I were not only able to achieve an acquittal for our client, but were able to scientifically prove his innocence to the satisfaction of the jury through the presentation of complex medical evidence which showed that the child's death was resultant of an accidental fall down a flight of stairs.**
- d. Charles J. Goddard, Jr.**
- e. The case itself involved multiple criminal issues, but was also a complicated medical evidence case. I was instrumental in the research and development of our medical experts and organizing our case for trial, and the duties at trial were equally split between Mr. Johnston and me.**

- f. My involvement in this case spanned from August 2003 until April 2004.
- g. Our client was acquitted on all charges.
- h. I represented the defendant as privately-hired co-counsel with Tyler Johnston of the Linn County Public Defender's Office, 425 2nd Street SE, #1020, Cedar Rapids, Iowa 52401
- i. Jerry Vandersanden, the current sitting Linn County Attorney, Linn County Courthouse, prosecuted the matter.
- j. Judge William Thomas, now deceased, presided over the matter.

Significant legal matter #2:

- a. Winkler et. al. v. Patrick B. Kelly and Wetterau Homestead, Inc.
- b. This matter was a federal diversity case tried in the Northern District of Illinois, Eastern Division, in April 2010. In that case, the Defendant truck driver ran into a number of vehicles parked at a toll booth in Chicago, including the vehicle of our injured plaintiffs.
- c. This was complex litigation under Federal diversity jurisdiction involving numerous issues, challenging financial evidence and medical evidence as well. We were able to secure a verdict for our clients in this matter.
- d. Our clients were John and Maria Winkler.
- e. My role in the case was coordination and direct examination of lay trial witnesses, client contact and exhibit preparation.
- f. My involvement in this case spanned from October 2007 through April 2010.
- g. We secured a six-figure verdict for our clients.
- h. Co-counsel was my law partner, Mark J. Seidl, and also local counsel George Bellas of Bellas & Wachowski, 15 Northwest Hwy., Park Ridge, IL.
- i. The defendants were represented by Brian P. O'Neill and Alton Haynes, 200 West Adams Suite 500, Chicago, and Lee Scheon, 200 West Adams Suite 1005, Chicago.
- j. U. S. District Judge Virginia Kendall presided over the matter.

Significant legal matter #3:

The third matter of great significance to me in my legal career involved a juvenile matter in Linn County Juvenile Court, in which I was appointed by Judge Susan Flaherty to represent siblings of a child who had been brutally murdered. Though confidentiality would preclude me from discussing the case further, I was honored that the Court would entrust me with such an important role, and also I felt I was able to provide my clients with strong legal representation while also exhibiting the appropriate empathy and demeanor toward my clients and their family.

Significant legal matter #4:

- a. State of Iowa v. Dustin Jefferson. Tama County Docket Number FECR014283. S. Ct. 16-0935 (appeal).
- b. This was a criminal matter over which I presided as a District Court Judge. In this matter, the Defendant was charged with Aiding and Abetting Murder in the First Degree. The allegation was that Mr. Jefferson had assisted his mother in stabbing his wife in their marital home in Tama, Iowa.
- c. This matter, which took three jury trials to conclude, was significant largely due to its length and complexity. The initial trial resulted in a continuance due to a defense challenge to the make-up of the jury panel. Trial was reset to allow the defense to investigate the process by which jury panels are created in the State of Iowa. Of particular concern was the seemingly low number of Native Americans on the panel. Having conducted such investigation, the Court and parties were able to conclude that, while the jury panels created in Tama County were created in a wholly unbiased and random manner, many Native American jurors did not appear when summoned for their jury duty. Recognizing this as an issue particular to that county, as the Judge presiding over the matter it was my duty to ensure that all jurors summoned for the second trial would appear for service. I was able to accomplish this task by involving the clerk in contacting all non-appearing jurors to ensure their presence. The second trial was then conducted. It involved numerous complex evidentiary issues, including lengthy motions in limine relative to the defendant's police interviews and body camera videos. The case also involved extensive individual voir dire and challenging logistics with regard to jury empanelment, witnesses and trial length. Ultimately, the second trial resulted in a mistrial as the jury hung after four days of deliberations. Due to the matter having been tried or partially tried in Tama County on two occasions, I then granted the Defendant's motion to change venue, and the case was moved to Jasper County, Iowa, for a third jury trial. At the conclusion of this trial, a jury convicted Mr. Jefferson of Aiding and Abetting Murder in the First Degree.
- d. I was the specially assigned trial judge for this case.
- e. As this was an assigned matter, I conducted all pretrial, trial and post-trial proceedings in the case.
- f. The dates of my involvement in this matter were May 2014 through June 2016.
- g. Mr. Jefferson appealed the jury's verdict of guilty, and the Court of Appeals affirmed. I sentenced Mr. Jefferson to life in prison without the possibility for parole.
- h. N/A
- i. Counsel for the State in this matter were Brent Heeren, Tama County Attorney, 100 West High Street, P.O. Box 6, Toledo, Iowa, and Assistant Iowa Attorney General Laura Roan, 1305 E. Walnut Street, Des Moines, Iowa. Counsel for the Defendant was Thomas Gaul, Special Defense Unit of the State Public Defender's Office, Des Moines, Iowa.
- j. N/A

Significant legal matter #5:

- a. State of Iowa v. Diamonay Richardson. Linn County Docket Number FECR105915, S. Ct. 14-1174 (appeal).
- b. This was a criminal matter over which I presided as a District Court Judge. In this matter, the Defendant was charged with Murder in the First Degree. The allegation was that Ms. Richardson, who was fifteen years old at the time, assisted her eighteen year old boyfriend in killing a neighbor in their apartment complex.
- c. Though this matter did not proceed to trial, this case was significant because it involved Constitutional issues relative to Ms. Richardson's confession, as well as sentencing issues complicated by Ms. Richardson's young age at the time of the offense and the fact that she was prosecuted in District Court for the offense. In light of my unfavorable ruling relative to the motion to suppress her confession, Ms. Richardson entered a guilty plea to Murder in the Second Degree and proceeded to sentencing. The sentencing hearing in this matter, which I conducted in accordance with Miller v. Alabama, 567 U.S.460 (2012), proceeded over the course of three days as would a trial. My preparation for this sentencing hearing involved significant research into the sentencing of juveniles in District Court. This area of the law was developing rapidly at that time due to the passage of new statutes as well as decisions from the United States Supreme Court and Iowa's appellate courts. Importantly, though the law was in flux at the time, I was able to determine a fair sentence for Ms. Richardson which was within the bounds of the law, and my sentencing order, though appealed, was affirmed. My research and involvement in this particular case led to me being contacted by judges throughout the state for guidance on the issue of sentencing juveniles in Iowa's District Courts.
- d. I was the specially assigned trial judge for this case.
- e. As this matter was specially assigned to me as a trial judge, I presided over the matter, conducted all hearings and issued all rulings in the case.
- f. The dates of my involvement in this matter were December 2013 – July 2014.
- g. I sentenced Ms. Richardson to a twenty-five year indeterminate term in prison with eligibility for parole and no mandatory minimum sentence.
- h. N/A
- i. Linn County Attorney Jerry Vandersanden of Cedar Rapids served as Counsel for the State in this matter. Attorneys Dennis Cohen, Rachel Antonuccio and John Bruzek of the Johnson County Public Defender's Office in Iowa City, Iowa served as defense counsel.
- j. N/A

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

I believe my lengthy experience in the non-litigation aspects of client representation specifically in the areas of family law, juvenile law and criminal law greatly enhance my ability to serve as a judge on the Iowa Court of Appeals. This is in part due to the fact that these are the areas of substantive law which most frequently come before the Iowa Court of Appeals. However, more importantly, the fact that I spent countless hours, days and weeks working with, advising and counselling real people in these substantive areas of the law has informed me as a judge to treat their matters respectfully, to be diligent and timely in my work, and to never lose focus on the people at the heart of each case. Moreover, in my representation of individuals throughout my legal career, I was able to rely on the law and our rules of court to provide a solid framework for advising clients and for engaging in informed settlement negotiations. This reliance upon the rule of law allowed my clients to properly consider their settlement options and enhanced my ability to effectively advise them. I feel that bringing this perspective to the Court of Appeals would enhance my ability to serve effectively in that capacity as well.

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.

I have never held public office, nor have I ever been a candidate for 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.

Iowa Judges Association

b. Your title.

Treasurer

c. Your duties.

I report to the Iowa Judges Association Board which is engaged in the support of Iowa's judges relative to state budget, compensation and resource issues. I manage the finances of the association, ensure that required tax filings are made, that dues are safely kept, and that all of the Association's bills are timely paid.

d. Dates of involvement.

I have served as the Treasurer of the Iowa Judges Association since June 2017.

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.

Bar associations and legal or judicial groups to which I have belonged	Committees / Titles	Dates (From -- To)
Iowa State Bar Association	Family Law (1997-2013) Board of Governors judicial liaison (2017-2018)	1992- present
American Bar Association	Judges Section (current)	1992- present
Iowa Judges Association	President(2016-2017) Treasurer (2017 – present) Co-Legislative Liaison (2017-present)	2013- present
Cerro Gordo County Bar Association		1992-1993
Webster County Bar Association		1993-1995
Black Hawk County Bar Association		1995-1997
Linn County Women Attorneys		1997-2003
Linn County Bar Association	Board of Governors (2007-2010) President Elect (2012-2013) Family Law ((1997-2013) Juvenile Law/GAL (1997-2013)	1997- present
Dean Mason Ladd Inn of Court	Emeritus member	2000- present
National Conference of State Trial Judges	NCSTJ delegate (2016-2017)	2016- present
International Academy of Collaborative Law Professionals		2010-2013
Collaborative Lawyers of Eastern Iowa	Vice President (2010-2013)	2010-2013
Sixth Judicial District Mediation Advisory Committee	Chairperson (2013 – present)	2013 - present
Linn County Advocates Advisory Board		2012- March 2013

Jones County Magistrate Selection Committee	Chairperson (2017 – present)	2017- present
Sixth Judicial District Probate Mediation Pilot Project	Coordinator	2018 - present
Judicial Education Faculty, Iowa Judicial Branch		2016 - present
National Judicial College	General Jurisdiction Course Facilitator	2019 – 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.

- 1997 - present Marion Metro Kiwanis. Current member. Past-President, Board Member.
- 1998 - present Cedar Rapids Literary Club, President (2005-7 and 2011-13) and member
- 2001 - 2004 St. Pius X and St. Elizabeth Ann Seton Joint Board of Ed. member
- 2003 - 2013 St. Pius X and St. Elizabeth Ann Seton Adult Ed. Committee Chair
- 2004 - 2006 Girl Scouts of America, Brownie Troop co-leader
- 2006 - 2009 Regis Middle School Mock Trial Assistant Coach
- 2006 - present ISBA Mock Trial Judge (Regional and State Competitions)
- 2012 - 2013 Big K Foundation Board Member (Kiwanis International)

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.

1. State of Iowa v. Diamonay Richardson, Linn County Number FECR105915, S. Ct. 14-1174, Sentencing Ruling. I included this sentencing ruling as a sample of my writing to emphasize the thoroughness of my attention to detail within the record. Further, I feel this ruling demonstrates my thorough analysis of a complex constitutional issue as well as my adherence to the law in the context of Iowa’s discretionary sentencing constructs.

2. Roberto Morales Diaz v. State of Iowa, Tama County Number PCCV007389, S. Ct. 15-0862, Trial Ruling. I have included the trial ruling in this matter as a sample of my writing in order to emphasize my ability to focus on a specific issue, analyze it fully and issue a concise decision that can stand up appellate scrutiny.
3. State of Iowa v. Venckus, Johnson County Number FECR104263, Ruling on Daubert Issue. This ruling is included as a sample of my writing to emphasize the level of my ability to understand complex technological and/or medical information and effectively recommunicate it in my writing in a cohesive and understandable way.
4. Brandy Byrd v. State of Iowa, PCCV076895, Trial Ruling. I include this ruling as a sample of my writing in order to emphasize my ability to clearly and efficiently address multiple legal issues brought forth in the same matter. Further, this writing sample demonstrates my adherence to the rule of law in that I decline the Applicant's invitation to establish a new cause of action.
5. In re Marriage of Telecky, Linn County Case Number CDDM042740, Dissolution of Marriage Ruling. I include this writing sample for purposes of demonstrating my knowledge in the substantive area of family law, as well as to demonstrate structured writing in a case involving multiple intertwining legal issues.

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.

N/A

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.

I have no such relationship with any member of the State Judicial Nominating Commission.

- 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.**

I have no such relationship with any member of the State Judicial Nominating Commission.

- 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.**

I have not published any such material.

- 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.**

Mary E. Chicchelly Judicial Investiture, April 5, 2013, personal remarks at public investiture ceremony.

LCBA Family Law Committee, February 6, 2014, “Trial Practice Tips”.

Cedar Valley CPCU Chapter, February 11, 2014, “Judicial Ethics”.

Presentation at Iowa State Bar Assn. 2014 Annual Meeting. Co-presented with Judge Annette Scieszinski. “Impressive Lawyering: What Judges Want you to Know”.

Iowa Association for Justice, March 31, 2016, Judges Panel, “Courtroom Tips”.

Iowa Judges Association, June 13, 2016, Remarks as incoming President. Generally discussed the progress of the Association for that year and initiatives relative to judicial salaries and budget for the coming year.

State of Iowa Judges, October 17, 2016. “Best Practices for Cases Involving Self- Represented Litigants”.

Iowa Judges Association, June 19, 2017, Remarks as outgoing President.

Iowa New Judges School, November 16, 2017, “Sentencing Juveniles in Iowa District Court”.

IWILL NCS Pearson, June 7, 2018, “Iowa’s Court System”. Presented on the basics of Iowa’s Court System structure and judicial ethics.

State of Iowa Judges, June 19, 2018, “Sentencing Juveniles in Iowa District Court”. NBI

Judicial Forum panel discussion on Family Law, November 15, 2018.

State of Iowa Judges, June 10, 2019, “Juvenile Waivers and Reverse Waivers”. Presented on the

topic of waiving juvenile criminal offenders into Iowa District Court for prosecution and also on reverse waivers from District Court to the juvenile court of juvenile offenders charged with felony offenses at the District Court level.

- 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 - Mary Chicchelly
 LinkedIn - Mary Chicchelly

- 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.**

Name/Title of Honor, Prizes, Awards	Awarded by:	Month/Yr Received
Valedictorian	Regis High School	May 1986
University of Iowa Presidential Scholarship	University of Iowa	August 1986
Dean’s List	University of Iowa	Jan., May 1988 and May 1989
Martindale-Hubbell AV Preeminent Attorney Rating	Martindale-Hubbell	2012
Award of Recognition for Pro Bono Service	Iowa Supreme Court	2012-2013
Recognition for Exemplary Service	Iowa Judges Assn.	June 2017

- 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.**

Name	Address	Telephone number
Retired Iowa District Judge Stephen Carroll, my former employer and current mentor and friend	Franklin County Courthouse Central Avenue & First Street, N.W. Hampton, Iowa 50441	(641)456-5624

U.S. District Judge Rebecca Ebinger, former colleague and friend.	U.S. District Courthouse 123 E. Walnut Street Des Moines, Iowa 50309	(515)284-6248
Iowa District Judge Ian Thornhill, current colleague on the District Court bench.	Linn County Courthouse 51 Third Avenue Bridge Cedar Rapids, Iowa 52401	(319)398-3920 Ext. 1100
Iowa District Judge Kevin McKeever, current colleague on the District Court bench.	Linn County Courthouse 51 Third Avenue Bridge Cedar Rapids, Iowa 52401	(319)398-3920 Ext. 1100
Chief District Judge Patrick Grady, current colleague and chief judge on the Sixth Judicial District Court bench.	Linn County Courthouse 51 Third Avenue Bridge Cedar Rapids, Iowa 52401	(319)398-3920 Ext. 1100
Michele Busse Attorney at Law friend and law school classmate	Collins Aerospace 400 Collins Road, N.E. M/S 124-303 Cedar Rapids, Iowa 52498	(319)651-8707

27. Explain why you are seeking this judicial position.

I seek this position in large part because it is my continuing endeavor to dedicate myself to the service of Iowans as fully and completely in whatever task my role as a public servant requires. Moreover, I believe that my particular skill set suits me well for the Iowa Court of Appeals. As an Iowa District Court Judge, I have strived to provide independent, accessible and fair dispute resolution within our court rooms during my six and one-half year tenure. Thus, I can bring to the appellate bench a practical and thoughtful approach from the perspective of the trial court. I believe this skill to be critical for an appellate court judge. Also, in the twenty years that I practiced law prior to my appointment to the bench, my areas of expertise focused on those areas which comprise the bulk of the Iowa Court of Appeals caseload, including family law, juvenile law and criminal law. Additionally, I am a strong writer, a critical thinker and an organized administrator. Because it remains my firm belief that the strength of Iowa's judiciary is dependent upon well-qualified applicants stepping up for consideration for appointment to our State's Courts, including our Appellate Courts, I feel it is both my duty and honor to place myself into consideration for this Court. To that end, I believe

that my experience and qualifications underscore my ability to serve in this position, and for those reasons I am seeking to be considered for the same.

28. Explain how your appointment would enhance the court.

My appointment to the Iowa Court of Appeals would enhance the court in a number of ways. I am a hard worker with a strong judicial background and an overarching dedication to public service. Accordingly, I continue to have great awareness that the work that I am doing is in service to real people with real problems that require timely and thoughtful solutions. I am accustomed to judicial writing and decision making within that awareness, and I have consistently strived in my role as a District Court Judge to perform my work well and timely, with my focus upon the litigants at the center of the controversies and provision of solutions that adhere to the rule of law.

In addition, my experience as a practicing attorney and my work as a District Court Judge have focused largely in those areas of the law from which the bulk of the Iowa Court of Appeals caseload derives. I have extensive experience in and have developed a great deal of expertise in family and criminal law both as an attorney and judge. Further, I represented many parents and children in juvenile court matters, including both Children in Need of Assistance actions and Delinquencies over the course of my law practice. As a result, my perceived areas of highest strength are those substantive legal areas most commonly reviewed by the Iowa Court of Appeals.

Last, I would emphasize geographic diversity. There is not one judge or justice on either of Iowa's appellate courts from Cedar Rapids, Iowa's second most populated metropolitan area. Though the Court of Appeals is not necessarily a representative body, I believe the breadth of perspective that geographic diversity brings with it would provide added richness of perspective to the Court.

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

I would like Governor Reynolds and the Commission to know that I have a great dedication to public service, service to the bench and to judicial education. I strive for personal excellence in all phases of my life. I am efficient, organized, a strong writer, a keen thinker, and willing leader. Not only do I complete my work well, but I complete it in a timely fashion with appropriate attention to detail and with an eye toward justice and ensuring that litigants know that their matter has received the attention and thoughtfulness that it deserves. Also, I remain committed to supporting and improving the Iowa Judicial Branch by remaining involved in the various committees and boards upon which I serve.

Further, I have great respect for, and am dedicated to upholding, our Constitution and the rule of law. I strongly believe that my duty as a judge is to apply the law, and interpret it as written. As such, I can be counted on to respect the integrity of the law and the separation of powers.

In addition, I would urge that my experience as a litigator in family law, criminal law and juvenile law underscores my solid substantive knowledge in those areas most reviewed by our Court of Appeals. Moreover, the six and one-half years that I have spent as a District Court Judge have provided me with robust experience in broad and varied legal matters. The fact that I have gained much of this experience on the high volume dockets of Linn and Johnson counties also speaks to my ability to keep pace with a heavy workload and render timely decisions.

I would also point out that during the course of my judicial tenure I have rendered solid decisions, including thousands of dispositions, and have never had one case on the Rule 22.10 list. Further, with only two partial reversals, my rulings have withstood well the scrutiny of appellate review.

Further, my experience is broad from the standpoint of having experience in rural areas of our state. I practiced law in courthouses across Iowa, from Lemars to Maquoketa. While on the bench, I have presided in the communities of Marengo, Tama, Anamosa and Vinton. This has allowed me to connect with Iowans from many walks of life, and to understand the nuances of the law within our rural communities.

In short, I believe my strengths would serve the Iowa Court of Appeals well, and I would be honored to be given the opportunity to serve in that capacity.