

**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.**

Heather Ann Prendergast

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

Partner – Roberts, Stevens & Prendergast, P.L.L.C.

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

June 21, 1970

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

Denver, Bremer County

**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)	Dates Attended (Mo/Yr to Mo/Yr)	Degree(s)	Month/Yr Received
Western New England University School of Law	8/1992-5/1995	Juris Doctor	5/1995
University of Illinois Urbana-Champaign	8/1988-5/1992	BA-English	5/1992



Law Clerk  
Summers of 1994 and 1995

Phebus & Koester  
136 W. Main Street, Urbana, Illinois 61801

Joseph Phebus, who has since passed away, was my direct supervisor as a law clerk at his law firm during those summers. Thomas Koester would be the next individual familiar with my work as a law clerk during those two summers I was in law school.

Ticket Coordinator – Busch Gardens  
Summer of 1993

Busch Gardens  
1 Busch Gardens Blvd, Williamsburg,  
Virginia 23185

Following my first year of law school, I worked as a ticket coordinator at Busch Gardens Williamsburg wherein I fulfilled group ticket orders for groups or entities entering the park. I do not recall who my supervisor was while in that position.

b. 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.**

Illinois	11/1995
Missouri	10/1998
Kansas	04/1999
Iowa	12/2000
U.S. Court of Appeals for the 8th Circuit	02/2000
U.S District Court for the District of Kansas	04/1999
U.S. District Court for the Western District of Missouri	10/1998

**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.**

- a. October 1995 – May 1998: I represented the people of the State of Illinois exclusively in prosecution of criminal matters. During this time, 100% of my practice was devoted to criminal law and prosecution of criminal cases including, but not limited to, assault and battery, theft, possession of illegal substances, criminal mischief, trespass and domestic assault. During this time, I also provided prosecutorial enforcement services for child support orders, as well as prosecuted termination of parental rights cases on behalf of the people of the State of Illinois.

June 1998 – October 2000: During this period of my career I was devoted exclusively to insurance defense clients including some municipal clients as well as individuals. The majority of my time was involved in the civil practice of law by conducting and completing depositions, obtaining witness statements, and preparation for potential jury trials. I conducted one jury trial while in Missouri resulting in a successful counter-claim judgment on behalf of my client.

November 2000 – April 2004: During this time my practice was devoted exclusively to representing the people of the State of Iowa in prosecution of criminal matters while employed in the Black Hawk County Attorney's Office. While there I prosecuted multiple jury trials to conclusion, including crimes of possession of illegal substance, domestic assaults, criminal mischief and theft. Notably, while there I was responsible for prosecuting a jury trial which ultimately resulted in "new law", See State of Iowa vs. Robert Arthur Allen, 690 N.W.2d 684 (Iowa 2005).

April 2004 – October 2005: My work at the Beecher Law Firm involved transactional matters such as conducting real estate closings, completing title opinions, and simple wills and estate planning.

October 2005 to present: From 2005 to approximately 2010, I practiced primarily in the areas of municipal law, criminal defense work, and family law. I represented a number of criminal clients, doing court-appointed criminal defense work in multiple counties. During this time, I was also representing individuals in court-appointed juvenile matters such as child in need of assistance proceedings and termination of parental rights cases. My court-appointed work in juvenile cases also involved a number of counties in Northeast Iowa. The private side of my practice during this time involved dissolution, custody cases as well as modification matters. As my family law practice expanded, I removed myself from the criminal and juvenile court-appointed work as there were too many conflicts in representing clients in outer counties and maintaining my private family law practice. Since 2010, I now spend approximately 50% of my time in civil family law matters either juvenile, dissolution or custody where I represent individuals in those areas. Approximately 30% of my practice involves areas of municipal law including attendance at multiple monthly

- city council meetings, advice and counsel concerning compliance with the Iowa Code, real estate transactions, title opinion work, zoning regulations and open records requests. The remaining 20% of my practice is currently devoted to civil work including simple estate planning, personal injury cases, as well as adoptions and interventions in juvenile matters, often times on behalf of grandparents.
- b. Over the course of the last fifteen years of my practice, I would estimate 30% of my practice has involved the representation of municipalities and their needs. My firm currently represents the Cities of Hudson, Elk Run Heights, Fairbank, Jesup, Lamont, Greene, Raymond and Clarksville among others. My work for the cities includes attendance at city council meetings, working with insurance carriers on issues of liability, and prosecution of their municipal infractions. I also provide advice and counsel concerning enforcement of their zoning regulations, completion of all documents necessary for real estate transactions including numerous flood buyouts, drafting of ordinances and resolutions, as well as review and negotiation of contracts such as 28E Agreements and engineering services.
  - c. Since graduating from law school, I have always had a practice that involved some aspect of litigation. As a prosecutor, 100% of my time involved litigation in Court and/or preparatory work for the same and since entering private practice in 2005, there has been a balance between litigation and office work. I would estimate that 80% of my current workload involves litigation or court appearances including but not limited to, contempt hearings, non-jury trials, temporary hearings, initial appearances, prosecution of city tickets. The remaining 20% of my practice involves participation in mediations in both civil matters or family law matters as well as general office practice.
  - d. Over the course of my 24 year career I would estimate that my participation in criminal litigation has involved 25% of my time while civil litigation comprised the remaining 75% of my career. Since 2005 I have represented numerous defendants involved in operating while intoxicated criminal offenses and as such have always had some administrative law practice as well because I represent those individuals on appeals to the Department of Transportation.
  - e. Over the course of the last 10 years, I would estimate that I have completed approximately 125 non-jury trials directly to the Court as sole counsel. Within the last 10 years, I have completed three jury trials and most recently a criminal defense jury trial in January of 2017, wherein I was chief counsel. The other two jury trials within the last 10 years were tried before the State of Iowa Commission on Judicial Qualifications and Grievance Commission of the Supreme Court of Iowa. In both of those matters I served as co-counsel. During my time as a prosecutor in both Illinois and Iowa I prosecuted multiple jury trials to conclusion, and I estimate I had approximately 40 jury trials between those two time periods. During all of my criminal jury trials as a prosecutor I was sole counsel.

f. During the last 10 years I have completed 12 appeals, with quite a few more than that wherein I was involved as Guardian Ad Litem and did not participate in the briefing but was named on the appeal. In 8 of the appeals I was sole counsel and two of the appeals I acted as co-counsel or associate counsel. In one of the matters I was chief counsel supervising the briefing schedule and work of an associate in my office. While in Missouri, I also completed as sole counsel an appeal to the 8<sup>th</sup> Circuit Court of Appeals on behalf of the City of Grandby, Missouri which also included a successful oral argument before the 8<sup>th</sup> Circuit Court of Appeals.

**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.**
  - a. Approximately 50
  - b. Approximately 100 hours per year
  - c. Most of my pro bono matters involve family law cases such as dissolution and custody, as well as many hours of free legal advice relating to real estate questions, will questions and follow up questions regarding dissolution and custody issues. I have also represented many individuals on criminal matters such as OWI and traffic matters as part of my pro bono practice.

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

Not Applicable

- 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.**

**11. If you have been subject to the reporting requirements of Court Rule 22.10:**

Not Applicable

- b. State the number of times you have failed to file timely rule 22.10 reports.**
- c. 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.

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. Nicholas R. Dietz v. Tammy McDonald, In the Iowa District Court for Chickasaw County, Iowa DRCV002082

b. I represented the father in a modification action wherein the mother had sought sole custody regarding medical decisions and a reduction in visitation schedule.

c. This case changed primary physical care of my client's son to my client after a history of attempts by the mother to reduce Mr. Dietz's time with his son. Prior to my involvement there had been an original custody trial where Mr. Dietz was awarded shared care. The Respondent appealed the original award of shared care and Mr. Dietz had to defend that appeal which was affirmed as a shared care. The original order was unique in that it transitioned the parties to a true shared care over time. Shortly before the true shared care schedule was to start, the Respondent relocated and filed a Petition to Modify seeking primary physical care. The Court granted the Respondent's request and she moved to Minnesota and Mr. Dietz was devastated. The new schedule granted Mr. Dietz three weekends per month and extended time in the summer allowing for his son and he to participate in the Dairy Shows that they both enjoy. My involvement commenced with attempting to resolve visitation issues during the summer and then with our filing of a contempt when the Respondent prohibited Mr. Dietz from enjoying Christmas visitation time with his son. Following a successful contempt, Respondent filed another Petition to Modify where she sought to remove medical decision making from Mr. Dietz and further reduce the visitation schedule. We filed a counterclaim seeking primary care. This litigation was lengthy, contentious, and challenging. Following a five-day trial which occurred over two different trial settings, the Court granted our counterclaim and my client received primary physical care of his son. The Respondent then filed an appeal and Mr. Dietz and I successfully defended the appeal. Mr. Dietz is a hardworking, principled Dairy farmer with strong values. It was vital after Mr. Dietz's previous contact with the court system that he never

question its integrity or its ability to respond fairly to his situation. I made certain that at every step he received every communication and knew exactly what was happening in his litigation. My work on his case resulted in him having confidence in our system of solving disputes. I believe my work on this case impacted this minor child in a very positive way and the outcome ensured his continued bond with his father.

d. Nicholas R. Dietz

e. I was sole legal counsel in representing Mr. Dietz in a modification trial where Ms. McDonald sought sole legal custody and further reductions in his visitation schedule. I was also sole counsel on the appeal which was successful for Mr. Dietz.

f. I entered an appearance on behalf of Mr. Dietz in June of 2013 and Procedendo on the appeal following our trial was issued in February of 2018.

g. Mr. Dietz received primary physical care of his son following a five-day modification trial.

h. none

i. Andrew Howie, Kit O'Donahue

j. Judge Margaret Lingreen

**Significant legal matter #2:**

a. City of Elk Run Heights, Iowa v. Dwayne R. Eilers, In the Iowa District Court for Black Hawk County, Iowa, EQCV126610; City of Elk Run Heights, Iowa v. Multiple Defendants, In the Iowa District Court for Black Hawk County, Iowa, ERCICV 124452, 124450,124451,124449,124448,124514,125056

b. I represented the City of Elk Run Heights during its purchase of a mobile home park and ultimate development into a single-family residential development.

c. This mobile home park had become dilapidated and was oftentimes the location of criminal activity. The newer, single family homeowners that surrounded the mobile home park were frustrated with the appearance and the negative impact it had. The Mayor and Council made a brave step for a small town to purchase the land and commit to development in unchartered territory. I played a significant role in seeing that their vision of single-family residences in that area was accomplished. It required balance of the tools available through the court system and direct contact with many residents of the mobile home park. I assisted the City during many council meetings with the public during contentious questions from residents of the mobile home park.

d. City of Elk Run Heights

e. I represented the City during the initial closed session discussions about purchasing a piece of land within City limits for the City to develop. This involved the purchase agreement and closing and then 6 months of city council meetings with tenants in the mobile home park and the council members identifying timelines for development. After purchase of the property the City desired to develop the land into 10 single family lots which naturally resulted in the mobile homes having to be relocated or torn down. I represented the City in multiple court proceedings involving nuisance abatement, small claims proceedings and a lawsuit for recovery of rents from

an owner of multiple mobile homes in the park. There were over 25 different legal proceedings that occurred over the course of 4 years of which I either coordinated or conducted any necessary hearing myself.

f. The City started discussions to purchase in November of 2012 and the lots were fully developed by June of 2018.

g. The City of Elk Run Heights now has 10 new single-family homes, has received increased property tax revenue and a desirous neighborhood to live in.

h. none

i. Michael Treinen, Mark Parmenter

j. Magistrate Dawn Newcomb, Magistrate Kathy Langlas

### **Significant legal matter #3:**

a. In Re the Interest of N.R., In the Iowa District Court for Bremer County, Iowa, JVJV001357, JVJV001454

b. I was appointed as the Guardian Ad Litem for a minor in a Child in Need of Assistance Proceeding where she was removed from her Mother's care following physical abuse.

c. N.R.'s first contact with the court system occurred when she was 14 years old and I was appointed to be her Guardian Ad Litem. While I had represented many minor children as a GAL, this young lady was a teenager and was very articulate about what had happened in her life, as sad as it was. We struggled through finding her foster placements and I established a relationship with her of trust. Her father had already passed away when she was removed from her mother's care and after three years, she found a family that she now truly considers her family. Following her father's death there had been a conservatorship set up to preserve life insurance benefits for N.R. Following her 18th birthday she and I discussed those funds and she has elected to continue to preserve them in a voluntary conservatorship. She is attending college now and well on her way toward becoming a teacher. In 2016 N.R. approached me about her desire to be adopted as an adult by her foster family. I supported her decision and as a Christmas gift to her foster family we surprised them with the adult adoption paperwork. I still remain the GAL on her conservatorship. I am very proud of my involvement in her life and I value that she calls me to this day to help with her decision making. She has been and will continue to be a juvenile court true success story. She has moved to my hometown now and I recently saw her outside while she and I were both walking in a neighborhood. She recognized me immediately and we chatted about her upcoming student teaching. I am proud that she feels comfortable enough and after this many years still values my input.

d. N.R.

e. I was her Guardian Ad Litem and as such participated in all hearings throughout the Child in Need of Assistance case including Temporary Removal hearings, adjudicatory hearings, disposition hearings and review hearings. Following the closure of the juvenile matter when she turned 18, I have completed the Conservatorship and documents needed for its maintenance.

f. December 2010-present

g. The juvenile matter closed when N.R. turned 18 and following that I continued to manage the Conservatorship as well as completed her adult adoption.

h. none

i. Kasey Wadding, Mark Milder

j. Judge Peter Newell

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

I have an extremely diverse and deep background practicing in many areas of the law. My municipal practice, representing eleven cities across Northeast Iowa, has afforded me the opportunity to practice in areas of transactional law as well as extensive involvement with members of the public and the councils that serve them. The non-litigation legal experience of assisting a mayor in leading a difficult council meeting and navigating a City through complicated flood buyouts has honed and sharpened my communication skills and my abilities to collaborate with others. I have learned to communicate effectively working in large group settings at large council meetings involving contentious issues and difficult situations with many members of the public. I have also worked extensively in small work sessions with five council persons and a mayor, to determine long range plans for a city and its ultimate economic growth and development. A Court of Appeals Judge must have the ability to communicate effectively during both oral argument as well as in the opinion writing which follows. My extensive work with municipalities will enhance the Court of Appeals by bringing the knowledge of that area of law to the bench as well as superior abilities in communicating effectively both in person and in writing.

**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 am currently the Vice President of the Denver School Board having served the Denver Community School District since being elected to the Board in November of 2011. I was re-elected for a second term in 2015 and will be up for re-election in November of this year.

**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.**

- a. Denver Community School District
- b. Vice President of the Board
- c. My duties include attending monthly board meetings and committee meetings as needed. I have previously served on the Executive Search Committee which selected our most recent superintendent. The School Board provides vision and direction to management of the District, and I currently serve on the negotiations committee, as well as the policy committee.
- d. 11/2011 to present.

**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	District 1B Governor – Board of Governors	06/2018-present
	Family and Juvenile Law Section	06/2006-present
	Iowa Middle School Mock Trial Judge	11/2004
	2018 Bench Bar Committee	05/2017-05/2018
Black Hawk County Bar Association	Member President Vice President Treasurer	05/2004-present 2006-2007 2005-2006 2004-2005
Iowa Association of Justice	Member	1/2016-present
Collaborative Lawyers of Eastern Iowa	Member	09/2016-present
International Academy of Collaborative Professionals	Member	09/2016-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.**

2005-2010	Girl Scouts of Eastern Iowa And Western Illinois	Past President Board Member
2005-2018	Waterloo Convention and Visitor's Bureau	Past President Vice President Board Member Chair & Member of two Executive Search Committee
01/2010-08/2010	Waterloo RAGBRAI Committee	Member – Ride Right Committee
2005-2018	Greater Cedar Valley Alliance and Chamber	Member

- 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.**

Not Applicable

- 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.**

See 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.**

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.**

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.**

Not Applicable

- 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.**

- a. Guest lecturer, Hawkeye Community College Business Law class, Waterloo, IA. I have served as guest lecturer to the students in the Business Law Class at Hawkeye Community College and I have conducted this guest lecturing once per semester for approximately the last five years.
- b. "Fireside Chat" interview with Arne Sorenson, CEO of Marriott. This fireside chat was conducted during the ISBA Bench Bar Conference held in Waterloo held in May of 2018. The attendees were judges and lawyers from across the State of Iowa and I moderated the conversation with Mr. Sorenson during his initial presentation as well as during a Q&A which followed.
- c. Denver Community Schools Cyclone Center Dedication and Award Presentation, Denver, Iowa. As a member of the Denver Community Schools School Board, I presented awards to donors as part of a celebration of our completion of an \$11 million-dollar building project for Denver Community Schools which was completed in November of 2017.
- d. Denver Committee Schools Senior Awards Night and Scholarship Presentation, Denver, Iowa. As a member of the Denver Community Schools School Board, I have presented the Heidemann Scholarship Awards to students as part of our Senior Awards Night held each May for the last five years.
- e. Black Hawk County Bar Law Day and Award Presentation, Black Hawk County Bar Association, Waterloo, Iowa. I presented the presidential and special service awards to members of the Black Hawk County Bar as my duties as President as well as most recently as the individual who nominated a recipient. Both Law Days were presented

before the lawyers and judges from Black Hawk County and were completed in May of 2007 and most recently in June of 2019.

**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	Heather Prendergast (McMullen)
Instagram	heatherpren
Snapchat	Heatherpren
Twitter	@Heatherpren

**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.**

<u>Name/Title of Honor, Prizes, Awards</u>	<u>Awarded by:</u>	<u>Month/Yr Received</u>
Dean’s List	University of Illinois	12/1990-12/1991
Cedar Valley Woman of the Year	Cedar Falls Business and Professional Women	11/2007
The Courier’s “20 Under 40”	Waterloo-Cedar Falls Courier	11/2007
Certified Comprehensive Divorce and Family Mediator	Crilley Mediation Services	03/2013
Certified Collaborative Mediator	Crilley Mediation Services	09/2016
Western New University School of Law Admissions Committee (Student Membership on this Committee was selected by Faculty)	Western New England University School of Law Faculty	09/1994
Cedar Valley Leadership Institute Graduate	Greater Cedar Valley Chamber of Commerce	05/2005

**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.**

1. The Honorable Bruce Zager - 319-234-1321  
Justice Zager was a District Court Judge in Waterloo when I first moved to Iowa and is familiar with my work in a courtroom and my firm.

2. The Honorable James Bauch – 319-230-0891  
Judge Bauch was a District Court Judge when I first practiced in Waterloo and was working in the Black Hawk County Attorney’s office. Judge Bauch is also familiar with my work in the courtroom as well as my recent involvement in bar association events.
3. Judge Thomas Difanis- (w) 217-384-3704 (c) 217-390-5419  
It was Judge Difanis who first encouraged my application to the Champaign County State’s Attorney’s office as a prosecutor. Judge Difanis has known me personally since Law School and is one of the most influential mentors I have had in my career.
4. The Honorable John Bauercamper, Assistant Chief Judge, 1<sup>st</sup> Judicial District – 563-568-6351 (Clerk of Court will direct any call)  
Judge Bauercamper has presided over a number of my non-jury trials in the recent history and is familiar with both my work ethic, my writing and my courtroom presence.
5. Judge Peter Newell – 319-352-2773  
Judge Newell presided over a number of juvenile cases wherein I was either appointed as guardian ad litem or appointed to represent either parent in a Child in Need of Assistance proceeding or termination of parental rights proceeding. Judge Newell personally appointed me on a number of occasions to serve as guardian ad litem in Bremer County and as such is very familiar with my knowledge of juvenile law and participation in his courtroom.
6. Robert Fahr – 319-234-2605  
Robert Fahr has known me since 2005 when we both served as board members on the Waterloo Convention and Visitors Bureau Board. Mr. Fahr and I have attended many meetings together and he is familiar with my leadership capacities as President and Vice President of the Waterloo Convention and Visitors Bureau during our time on the board.
7. Terry Parsons – 319-277-7936  
Ms. Parsons is an attorney in Cedar Falls who has been opposing counsel on a number of cases of mine and has also served as a mediator for dozens of my cases. Ms. Parsons is also very familiar with my work ethic, my courtroom preparation, and my representation of clients throughout the course of mediations and in the courtroom.

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

Since graduation from law school and for the last 23 years, I have endeavored to grow, learn and be the best attorney and practitioner possible. Early on in my career I represented the State of Illinois in enforcing child support orders. It was a very unique position. While my client was the State of Illinois, I often had direct, very personal contact with the individuals who were seeking enforcement services. Those enforcement

services included health insurance requirements as well as monetary child support payments. That experience lit a fire in me to provide the best service to people who are directly impacted by the Court system. I seek this position so that I may continue to provide leadership and integrity to our Court system for those people who are affected by it.

When I received an opportunity to prosecute criminal matters in Illinois, that same desire to achieve the best result possible continued to drive me. When my husband received an opportunity to advance his career, I accepted the challenge of two more bar exams and became licensed in both Kansas and Missouri. That move presented the opportunity to learn about the civil justice system and practice in Southwest Missouri. I represented individuals primarily in insurance defense litigation and the people in those cases were always at the core of my advocacy. Following our move to Iowa over 18 years ago, I wanted to continue my work within the court system and specifically advocacy in the courtroom. I returned to prosecutorial work representing the people of the State of Iowa. I had many cases involving domestic abuse and assault, which provided a unique opportunity to advocate on behalf of crime victims. For the past 14 years, I have been involved in the private practice of law. I have worked to always put my clients' needs first. For a number of years, I have represented many cities and provide them advice and counsel at numerous city council meetings. I have represented hundreds of clients in family law matters including but not limited to dissolution work, child in need of assistance proceedings (both court-appointed and private), termination of parental rights (both court-appointed and private), juvenile delinquency proceedings and adoptions. People have always been the true heartbeat of my practice, and my passion for excellence for them has never waned.

An Appellate Court position provides a unique opportunity for me to continue serving the people of Iowa and our Court system. It is of paramount importance that people involved in our Court system receive the most thorough and competent review of their case. I seek this appellate position because I am excited by the challenge of continuing my work for the people of Iowa, not as an advocate but as part of the Judicial Branch. This position provides an opportunity for me to utilize a diverse and wide range of experience that my practice and background brings. I believe that my experience, work ethic, demeanor, honesty and character are what the people of Iowa want and expect in an Appellate Court Judge. I seek this position so that I may use my passion for maintaining the integrity of the Court system for the people of Iowa in an appellate role.

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

Having the honor of serving the People of Iowa on the Court of Appeals would provide the opportunity for me to utilize the diversity of experience gained during my 24 years of practicing law. My knowledge and experience in family and juvenile law, and criminal matters would enhance the appellate court by providing the perspective of a private practitioner as well as the knowledge gained during in depth participation of those areas of the law. I have had the pleasure and opportunity of representing numerous clients while in crisis and during their involvement with our court system. It is because of that

extensive experience and diversity of background that I can provide the knowledge, experience, common sense, and empathy that is critical to the integrity of our court system.

My passion for representing people involved with our court system has allowed me to become an experienced advocate in the areas of family and criminal law. I believe that my experience would enhance the Court of Appeals by helping to ensure knowledgeable review of the facts and correct application of the law in cases on appeal before it. Furthermore, I am decisive and deliberate and possess strong communication skills. I have managed my current law firm for over ten years, including all the significant decision making that is necessary. I have had tremendous mentors and legal professionals along my career path that have provided me extraordinary guidance and teaching. I have spent years analyzing facts of cases and evidence in cases and can do so swiftly. I have communicated in person in large group settings in front of many members of the public and have provided written opinions to dozens of clients, both municipalities and individuals. I communicate well and completely. I am excited and energized to bring to an Appellate Court position the passion that I have for the people of the State of Iowa and ensuring their continued contact with our Court system is as respectful, efficient and fair as it can be.

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

This application asked to identify the three most significant legal cases I have had in my career and state their significance. That question was a challenge because every time I have ever represented an individual in a dissolution, custody, juvenile or modification matter involving children it has been significant to me. Every case involving people is significant. I have represented hundreds of people in crisis who needed empathy, attention and work ethic. I care about my clients and I always have. We must never forget as attorneys that we provide a service to our clients and what we do is about them. One of my guiding principle has always been to work hard, and the rest will follow, and that principle has never failed me.

I have recently had the opportunity to represent both a judge and a lawyer who were accused of violation of various disciplinary issues. Both matters proceeded to trial and both cases were dismissed following trial, and therefore a successful result for my clients. It was an honor to be asked to represent individuals in our profession and I considered it significant that they trusted me to do so effectively.

Additionally, when working in the Champaign County State's Attorney's Office and the Black Hawk County Attorney's Office I prosecuted multiple jury trials to conclusion. Once entering private practice, the opportunity to prosecute or defend jury trials reduces, but for me has been replaced by a very active family law practice where I have had consistent and repeated contact with the courtroom. I have represented litigants in dozens of temporary hearings, contempt proceedings and other applications which requires preparations of exhibits, pleadings, affidavits, as well as preparing the client for the

nature of the hearing. I believe my preparation is thorough and that is reflected in the courtroom. Furthermore, I am a diligent and very hard worker. I recognize the volume of work the Court of Appeals completes in a year and I am more than prepared for it.