

**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.**

Julie Ann Schumacher

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

District Court Judge, Third Judicial District of Iowa

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

August 7, 1967

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

Schleswig, Crawford 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.**

Creighton University School of Law: August 1990 – May 1993 Juris Doctor

University of South Dakota: August 1986 – May 1990 Bachelor of Arts, double major in Journalism/Mass Communications and English

6. Describe in reverse chronological order all of your work experience since graduating from college, including:

a. Your position, dates (beginning and end) of your employment, addresses of law firms or offices, companies, or governmental agencies with which you have been connected, and the name of your supervisor or a knowledgeable colleague if possible.

- District Court Judge, Third Judicial District

January 6, 2017 – present

Crawford County Courthouse
1202 Broadway
Denison, Iowa 51442

Chief Judge Duane Hoffmeyer is a knowledgeable colleague. His phone number is (712) 279-6032.

- District Associate Judge, Third Judicial District

December 21, 2012 – January 5, 2017

822 Douglas Street, Sioux City, Iowa 51101

Chief Judge Duane Hoffmeyer is a knowledgeable colleague. His phone number is (712) 279-6032.

- Mundt, Franck & Schumacher Law Firm

March 5, 1995 – December 20, 2012

1321 Broadway, Suite 300, Denison, Iowa 51442

I was an associate in the firm of Franck, Mundt & Franck from March 5, 1995, until being named a partner a year later. I practiced with this firm for 18 years prior to my appointment to the bench and served as managing partner during the same time period.

Both of my former partners, Michael R. Mundt (712) 269-3890 and Derrick R. Franck (712) 263-3159 are knowledgeable concerning my law practice and work ethic.

- Engelhardt Law Office

September 1993 – March 1995

211 South 14th Street, Denison, Iowa 51442

I practiced in this firm for approximately 17 months before accepting the above position at Frank, Mundt & Franck.

- 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.**

N/A

- 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 State Bar Association June 13, 1993 – present
- United States District Court, Northern District of Iowa March 1998 - 2012. I terminated my membership in the Federal Court when I was selected as a District Associate Judge in 2012.

- 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.**

As a general practitioner for 20 years, I worked in the areas of civil litigation, family law, adoption, real estate, taxation, probate, education law, and criminal law. I served as the Assistant City Attorney for the City of Denison for approximately 18 years. I was also appointed a prosecutor for Crawford County in May 2008, handling felony and misdemeanors prosecutions. As a prosecutor, I was also solely responsible for the juvenile prosecutions, including child welfare, delinquency, and truancy matters. As this

position was considered part time, I continued to maintain my private practice in the areas set out above and also represented an adoption agency throughout Iowa, participating in hearings for this agency across the state.

My clients in my practice were private citizens, the State of Iowa, adoption agencies, cities, schools, superintendents, teachers, adoptive parents, and criminal defendants (when I was not serving in a prosecutorial position).

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.

The percentage of my practice that was in areas other than appearances before court or other tribunals was approximately 25 percent. In my private practice, I drafted last wills and testaments, guardianship and conservatorship matters, prepared tax returns, and also spent considerable time drafting legal memorandums, briefs, proposed city ordinances, and pleadings. As with most civil litigators, I also spent long days in mediation, arbitration, and settlement conferences in negotiations.

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

Because I served as a private practitioner and prosecutor at the same time, it was not unusual for me to be in court four to five days per week, whether that was on behalf of a private client, a municipality, or representing the State of Iowa in a criminal prosecution, defending the State on a post-conviction relief matter, or prosecution of a juvenile file.

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

The approximate percentage of my litigation when I was practicing was 50 percent civil, 48 percent criminal, and 2 percent administrative.

- 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 been on the bench for six and a half years. However, when I was a private practitioner and prosecutor, I tried hundreds of cases over a 20-year period, acting as sole counsel. Since I have been on the bench, I have presided over hundreds of cases, both as a District Associate Judge and a District Court Judge.

- 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 been a judge for the last six and a half years. However, in my 20 years of legal practice prior to my appointment to the bench, I handled 21 appeals before the Iowa Court of Appeals, with 15 of those cases serving as sole counsel. I handled one case before the Iowa Supreme Court as sole 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.**
- b. Average number of hours of pro bono service per year.**
- c. Types of pro bono cases.**

- a. During my 20 years of practice, I routinely provided pro bono work. I handled approximately two cases per year.

- b. The average amount of hours of pro bono service per year is estimated to be 40 – 60 hours.
- c. I provided pro bono work in the areas of domestic abuse, adoption, family law, and social security disability.

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

Yes, I have held judicial office since being selected as a District Associate Judge on December 21, 2012, and since my appointment as a District Court Judge on January 6, 2017.

- 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 was a District Associate Judge in the Third Judicial District from December 21, 2012 – January 5, 2017. District Associate Judges are selected by District Court Judges from a panel of three names selected by a nominating commission. In that judicial office, I had jurisdiction over criminal cases up to Class D felonies, civil litigation up to \$10,000.00, juvenile child welfare and delinquency cases, 600A termination of parental rights cases and adoptions, as well as jurisdiction over mental health and substance abuse commitments. In addition to covering this docket, I was also in the on-call rotation, covering after-hour search warrants, emergency mental health and substance abuse commitments, and initial appearances on Saturdays, Sundays, and holidays.

I was appointed by Governor Terry Branstad as a District Court Judge on January 6, 2017, and continue to serve in that capacity. District Court Judges are appointed by the

Governor after being named as a finalist by a district nominating commission. District Court Judges have a general jurisdiction docket, encompassing criminal cases up to Class A felonies, including bench and jury trials, civil litigation with no jurisdictional limit, family law, probate, including guardianship, conservatorship, and estate proceedings, civil commitment, including substance abuse and mental health, termination of parental rights cases, and adoptions.

- 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.**

Over the last six and half years that I have been on the bench, I have had approximately 34 cases affirmed by an appellate court. During this same time period, the below three cases were affirmed in part and reversed in part, or reversed and remanded. I have provided my rulings and the reviewing court's opinion, as requested.

In re: J.S. and N.S. 846 NW2d 36 (2013)

In re: J.W., 855 NW2d 202 (2014)

In re: R.T., 908 NW2d 882 (2017)

While reversed by the Iowa Court of Appeals, the below three cases were either subsequently affirmed by the Court of Appeals or by the Iowa Supreme Court.

In re: E.R. and E.R., 856 NW2d 383 (2014) (affirmed on subsequent appeal)

In re: M.W. and Z.W. (2015) affirmed in part, reversed in part by Iowa Court of Appeals; Supreme Court reversed Court of Appeals, affirming trial court ruling

In re: P.D. and K.D., 871 NW2d 705 (2015) (affirmed on subsequent appeal)

- 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.**

My first and foremost concern is for the rule of law. If an issue can be resolved under the context of current applicable statutes and laws, that is how I address each case. I do not go out of my way to search for an issue on a constitutional basis.

I am routinely presented with state constitutional issues in the context of criminal cases. On a nearly weekly basis, cases come before me with constitutional issues in motions to suppress dealing with unlawful search and seizures governed by the Fourth Amendment and the right to counsel governed by the Sixth Amendment.

As an example of my writing concerning the issue of the Fourth Amendment, I am providing two decisions, set forth below.

State v. Wilson (Woodbury County FECR096892)

Defendant Wilson challenged the initiation of an investigatory stop under the Fourth Amendment, after a Woodbury County Deputy attempted to pull over Wilson's vehicle regarding an illegible temporary license plate. When the deputy activated his lights and sirens, Wilson initiated a high speed chase, traveling at speeds of over 70 mph in a 35 mph zone, ultimately striking a retaining wall, with the impact killing Wilson's passenger. The State of Iowa charged Wilson with vehicular homicide. Following entry of my ruling denying the motion to suppress, a jury convicted Wilson of vehicular homicide.

State v. Conkey (Woodbury FECR103790)

Defendant Conkey challenged the search of his person as a violation of the Fourth Amendment, prohibiting unreasonable search and seizures. Conkey was approached by an undercover officer at 3:00 a.m. after Conkey was observed moving between houses with a wheelbarrow in -17 degree weather. The question presented under the set of facts in the above case was when the seizure occurred. Applying the precedent to these facts, the motion to suppress was overruled.

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.

None

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.

None

ii. 180 days.

None

iii. 240 days.

None

iv. One year.

None

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. **Title of the case and the county and state of venue:** *Witten v. Witten*, In the Iowa District Court in and for Crawford County (CDCD002423); In the Iowa Supreme Court 672 NW2d 768 (Iowa 2003).
- b. **A brief summary of the substance of each matter:** This was a dissolution of marriage proceeding of parties who had been married over seven years when the husband sought to have their marriage dissolved in April 2002. I was retained to represent the wife. One of the contested issues at trial was control of the parties' frozen embryos. During the parties' marriage they tried to become parents through the process of in vitro fertilization. Because the wife was unable to conceive children naturally, her eggs were artificially fertilized with the husband's sperm. The wife then underwent several unsuccessful embryo transfers in an attempt to become pregnant. Prior to the in vitro fertilization process, the parties signed a document prepared by the hospital entitled, "Embryo Storage Agreement." While the document contained provisions that governed the embryos in the event of the death of a party, such did not contain direction in the event of a dissolution of marriage. It allowed release of the embryos only upon consent of both parties. At the time of trial, 17 fertilized eggs remained in storage at a university hospital. My client, the wife, requested custody of the embryos.
- c. **A succinct statement of what you believe to be the significance of it:** This was a case of first impression in Iowa and was retained by the Iowa Supreme Court.
- d. **The name of the party you represented:** My client was the wife.
- e. **The nature of your participation in the case:** I was the trial lawyer and appellate lawyer for the wife in front of the Iowa Supreme Court.

- f. **Dates of your involvement:** My dates of involvement were from the filing of the answer to the petition on May 3, 2002, to finalization on March 12, 2004.
- g. **The outcome of the case:** My client requested custody of the embryos. On appeal, she challenged the district court's ruling that denied her custody of the embryos, and argued that the best interest test of Iowa Code Chapter 598 should have been applied. In the alternative, her argument was that she was entitled to custody of the embryos as a fundamental right, as well as based on public policy. Ultimately, it was decided by the Iowa Supreme Court under contract law, rather than custody considerations, and my client was denied custody.
- h. **Name(s) and address(es) [city, state] of co-counsel (if any):** I did not have co-counsel.
- i. **Name(s) of counsel for opposing parties in the case:** Opposing counsel was Mr. Reed H. Reitz, Denison, Iowa.
- j. **Name of the judge before whom you tried the case:** Trial court judge: Honorable Richard J. Vipond.

Significant legal matter #2:

- a. **Title of the case and the county and state of venue:** State of Iowa v. Austin Tasich, Crawford County District Court FECR064945.
- b. **A brief summary of the substance of each matter:** This was a criminal case in which I was the prosecutor for the State of Iowa in a sexual abuse case involving two separate minor victims.
- c. **A succinct statement of what you believe to be the significance of it:** This case demonstrates the delicate nature of working with victims of sexual abuse, particularly minor victims of sexual abuse. Because the victims were afraid, they did not immediately report the assaults and physical evidence was non-existent. As the prosecutor I was working for a conviction, but also recognized the delicate balance necessary to ensure healthy outcomes for the victims after the assault itself and the risk of additional trauma caused by testifying. Both minor victims and law enforcement testified for the State's case, in addition to an expert from the Mercy Medical Child Advocacy Center.
- d. **The name of the party you represented:** My client was the State of Iowa.
- e. **The nature of your participation in the case:** I was the prosecutor for the State of Iowa.
- f. **Dates of your involvement:** 1/10/2011 – 12/17/2012
- g. **The outcome of the case:** The defendant was convicted of Sexual Abuse in the Third Degree, a Class C felony.
- h. **Name(s) and address(es) [city, state] of co-counsel (if any):** I did not have co-counsel.
- i. **Name(s) of counsel for opposing parties in the case:** Defense attorney, Martha Sibbel,

Carroll, Iowa

j. Name of the judge before whom you tried the case: This case was tried to a jury. The presiding judge was Judge Edward Jacobson.

Significant legal matter #3:

- a. **Title of the case and the county and state of venue:** *In the Interest of E.D, F.D., and J.D.* Woodbury County JVJV023602-04/23807-09/ 886 NW2d 107 (Iowa App. 2016)
- b. **A brief summary of the substance of each matter:** The above matter involved three child in need of assistance files and three termination of parental rights files. There were three young children involved in these proceedings, ages eight, four, and one, who had been the subjects of eight founded child abuse reports at the time of the termination hearing.
- c. **A succinct statement of what you believe to be the significance of it:** This case demonstrates the merging of state welfare proceedings with the Federal and State Indian Child Welfare Acts, both in the underlying child in need of assistance proceeding and the termination of parental rights proceeding. Additionally, this case deals with the higher standard required by the Federal and State Indian Child Welfare Acts, mandating that the more rigorous standard of active efforts be engaged rather than the reasonable efforts standard imposed in non-Native cases. The Tribe requested a transfer of the case to tribal authorities.
- d. **The name of the party you represented:** Not applicable.
- e. **The nature of your participation in the case:** Not applicable.
- f. **Dates of your involvement:** I was the presiding judge from the commencement of the underlying child in need of assistance cases, petitions filed on August 17, 2015, through the post-termination of parental rights matters, concluding on September 6, 2016, which followed the issuance of procedendo when my ruling was affirmed on appeal.

- g. **The outcome of the case:** After exhaustion of reunification services, the State filed a petition to terminate the parental rights of the parents. Both the parents and the Tribe resisted the termination. After full evidentiary hearing, I entered a termination of parental rights order. Such was affirmed by the Iowa Court of Appeals.
- h. **Name(s) and address(es) [city, state] of co-counsel (if any):** Not applicable.
- i. **Name(s) of counsel for opposing parties in the case:** Not applicable.
- j. **Name of the judge before whom you tried the case:** I was the presiding trial court judge.

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

When I was a private practitioner, the majority of my practice involved appearing before courts. However, I also prepared tax returns and documents that would not normally involve a court appearance, such as last wills and testaments, farm leases and terminations, and power of attorney documents. As set forth above, I spent considerable time drafting pleadings, briefs, and memorandums, as well as negotiating outside of court in settlement conferences, arbitration, and mediation. As a prosecutor, I initiated conferences between the school district and the parents in an effort to avoid litigation concerning truancy matters. All of these skills were instrumental to me when I became a judge.

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 was a prosecutor for Crawford County, Iowa from May 10, 2008, until the time I was appointed to the bench.

I acted as the assistant city attorney for the City of Denison, Iowa, from March 1995 until the time I was appointed to the bench.

I was selected as a District Associate Judge on December 21, 2012.

I was appointed as a District Court Judge on January 6, 2017.

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.**

N/A

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 Association of Judges
- Iowa State Bar Association
- Chair of the Crawford County/Ida County Magistrate Nominating Commission
- Crawford County Bar Association - 1993 to present, offices held: President (1998-2000), Treasurer (1995 – 1997)
- Iowa Judicial Workload Committee – advisory board for determination of workload formulas for judges across Iowa.
- Judicial Technology Commission – advisory commission for technology issues affecting the judicial branch, including cyber security and advancements in judicial branch technology.
- Iowa Supreme Court Family First Prevention Services Act Task Force - advisory committee to implement the federal law passed in 2018.
- Iowa Temporary Bar Examiner – reviewed and graded bar examinations of law

school graduates for purposes of admittance into the Iowa Bar.

- Iowa Supreme Court Commission on Unauthorized Practice of Law – reviewed and made recommendations on complaints received for persons practicing law without an Iowa law license.
- Iowa Supreme Court Grievance Commission – acted as the fact finder for hearings involving lawyer disciplinary matters.

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.

- 1993- current St. Rose of Lima Catholic Church Service as a lector, Eucharistic minister, and as a volunteer with events at the church and at St. Rose of Lima Catholic School.
- 2007-current Schleswig Community Library Volunteer service as a librarian for the public library.
- 2010-2012 Denison ASA Youth Softball Board of Directors Volunteer service on the board, which oversaw the Denison Traveling Tournament Girls’ Softball Team.
- 2007-2011 Schleswig Youth Recreation Board Volunteer service on the board, which organized youth basketball, soccer, volleyball, football, baseball, and softball for the youth of our community.

- 2002-2005 Chairperson, Denison
Downtown Streetscape
Committee

I served as the chairperson on an advisory committee for purposes of revitalizing the downtown business district, including streets, sidewalks, business fronts, lights, and green space, in conjunction with the chamber and business owners.
- 1998-2000 Denison Chamber of
Commerce Board of
Directors

I served on the board, which assisted in organization of community events and local business promotion.
- 1995-2000 West Iowa Mental Health
Commission

I was appointed by the board of supervisors. The board oversaw the operations of the local mental health centers for Sac County and Crawford County.

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.

As a District Court Judge with general jurisdiction, the docket is extremely diverse. On any given week, a District Court Judge may hear family law matters, civil litigation, criminal law matters, and probate proceedings. This is a very similar docket to that of the Court of Appeals. For that reason, I have included three different types of cases to demonstrate my approach to writing and deciding cases.

Gonzalez v. Gonzalez – I selected this family law case as a large portion of the cases that appear before the Iowa Court of Appeals derive from this area. I heard this trial on July 3, 2019, and entered a detailed, 18-page decree that same day, July 3, 2019, at 9:17 p.m. When practicing, I handled a large amount of family law, over 500 cases. From my practice, and from the bench, I recognize that these cases involve “families in crisis.”

While I am not always able to issue decrees on contested matters the same day as the trial, in cases of family law, particularly those involving children, my goal is to prioritize these filings so families can move on with their lives. I have attached a copy of the decree entered in this case.

Central Avenue, L.C. v. The City of Orange City, Iowa (Sioux County CVCV027207). This case involved a dispute between a local meat market and the City of Orange City in condemnation proceedings of an alley. Following hearing and legal briefing concluding on July 27, 2018, I entered my written order in under 30 days. I have included this ruling because it reflects my detailed legal analysis concerning the law relevant to civil injunctive relief. I have provided a copy of this decision.

Jacob Schmidt v. State of Iowa Department of Corrections, Jerry Bartruff, Dan Craig, Sheryl Dahm, and Other Unknown Employees of the State of Iowa Department of Corrections (Woodbury County LACV176347). This case arose when a former inmate of the Iowa Department of Corrections filed suit against the State alleging that he was entitled to money damages for false imprisonment by the State. The issue of liability was submitted to the Court and judgment was entered in favor of the State, dismissing Schmidt's lawsuit. I have included this case as such represents a detailed analysis of the law concerning the claims made under Schmidt's criminal sentencing order. I have included a copy of this decision.

- 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.**

There are no members of the State Judicial Nominating Commission that are related to me in any manner set forth in the above paragraph.

- 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.**

There are no members of the State Judicial Nominating Commission that are a current law partner or business partner of mine.

- 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.**

N/A

- 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.**

- Electronic Exhibit Management Iowa Legal Aid November 2018

- Family Law, Iowa Judicial Academy Iowa Judicial Branch November 2018

- Electronic Exhibit Management Iowa Judicial Branch October 2018

- Representation of Parents in Juvenile Court Judicial Branch, Third District September 2015
- Representation of Parents in Juvenile Court Judicial Branch, Third District June 2014
- Representation of Parents in Juvenile Court Judicial Branch, Third District December 2013
- Electronic Exhibit Management Judicial Branch, Third District July 2013
- Small Cities Issues: ATVs and Golf Carts/Certifying Nuisance Abatement Costs as Taxes/Managing Volunteer Fire Departments Iowa Municipal Attorneys Association November 2012
- Alimony Awards in Conjunction with Farm Tax Returns Iowa State University September 2011
- 600A Termination of Parental Rights Iowa State Bar Association April 2010
- Juvenile Law Summit Judicial Branch, Third District May 2009
- Ethical Considerations for the Family Law Practitioner Iowa Association for Justice April 2009
- Advice from the Experts Family Law Seminar Iowa State Bar Association October 2008

In addition to the above, I routinely presented at grade school and high school classes, educational organizations, scholarship programs, and DARE events when I was an attorney.

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.

Instagram (inactive) Account name: Julie Schumacher

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.

- Nominated to the Iowa Court of Appeals on March 29, 2019
- “It’s a Wonderful Life” award for Outstanding Community Project (Chairperson of the Uptown Streetscape Project)
- Highest grade in Education Law
- Omicron Delta Kappa Honor Society
- Dean’s List, University of South Dakota
- Awarded University of South Dakota Pen (awarded for 4.0 semester)
- Margaret B. Sanger Scholarship
- Mundt Foundation Scholarship/South Dakota Broadcasters Scholarship
- Jim Houtz Scholarship
- Pi Sigma Epsilon Marketing/Management Fraternity

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. Honorable Susan Larson Christensen, Iowa Supreme Court Justice (515-348-4960)

I have known Justice Christensen for approximately 26 years. While we did not reside in the same judicial district, our practices were substantially similar in that we both were prosecutors and had large family law practices. We routinely collaborated together on case

work. We additionally were both District Associate Judges and District Court Judges. We have served on various committees and task forces together. I consider Justice Christensen as both a personal friend and knowledgeable colleague.

2. Honorable Duane Hoffmeyer, Chief Judge, Third Judicial District (712-279-6032)

Judge Hoffmeyer has been the chief judge of the Third Judicial District for the entire length of my service on the bench. As such, he is familiar with both my legal work and work ethic. Prior to my appointment to the bench, I appeared before him in both my capacity as a private practitioner and prosecutor for the State of Iowa.

3. Honorable Jeffrey Larson, Chief Judge, Fourth Judicial District (712-328-5758)

I have known Judge Larson since I graduated from law school. At the time I began practicing, he was the county attorney for Shelby County, Iowa. I also had the occasion to have cases with him in our private practices. Lastly, I appeared in front of Chief Larson after his appointment to the bench.

4. Honorable Charles Borth, District Court Judge, Third Judicial District (712-262-8782)

Judge Borth is familiar with my work as judge, private practitioner, and prosecutor. While Judge Borth is now a District Court Judge, he presided over the juvenile bench in Crawford County during the time period that I was the lead prosecutor for that docket. He also presided over cases that I handled in representing an adoption agency throughout the State.

5. Julie Greteman Mayhall, attorney (712-792-1554)

Ms. Mayhall has known me for over 26 years. We became acquainted through the practice of law. She is familiar with me both professionally and personally and can speak to my work ethic, knowledge of the law, and personal attributes.

6. Reed H. Reitz, attorney (712-263-4627)

Mr. Reitz is familiar with my legal work as a private practitioner, defense attorney, prosecutor, District Associate Judge, and District Court Judge. While we did not practice in the same firm, our practices were similar, both involving a substantial amount of trial work. During my legal practice, we tried volumes of cases together as opposing counsel. Mr. Reitz has also appeared in front of me in my role as a District Associate Judge and District Court Judge.

27. Explain why you are seeking this judicial position.

I am seeking this appellate judgeship position to utilize my diverse background in the law for the benefit of the appellate court, and consequently, for the benefit of the citizens of Iowa. As the Iowa Court of Appeals is an intermediate appellate court, it reviews appeals from the trial courts. I have been a member of the Iowa bar for over 26 years – 20 years in private practice and six and a half years as a judge. In the 20 years of private practice, I was a defense attorney, assistant city attorney for 18 years, prosecutor for Crawford County, and also maintained a busy private practice in areas of civil litigation, family law, adoption, real estate, taxation, probate, education law, and criminal defense. I have tried hundreds of cases as an attorney and presided over the same amount as a judge. This trial court background is critical for a court of appeals judgeship and will be of benefit to the litigants involved in cases before the appellate court.

28. Explain how your appointment would enhance the court.

In my 20 years of private practice, I was involved in a wide variety of areas in the law, including civil litigation, family law, adoption, real estate, taxation, education law, probate, and criminal defense work. I was appointed as a hospitalization referee by the Chief Judge of the Third District in 1993. In this position, I presided over civil commitment proceedings, including mental health and substance abuse. My private practice also allowed me to travel across the state, so I have had the experience of handling cases in all eight judicial districts in Iowa. I was also appointed as a prosecutor for a portion of my legal career. At the time of my appointment as a prosecutor, I had substantial trial experience as a private practitioner. However, the role of prosecutor afforded additional trial experience, both to the bench and to a jury. In addition to prosecuting criminal matters, I was responsible for advising county officials on civil matters and defending civil post-conviction relief cases for the State of Iowa. As the prosecutor position was considered part time, I was able to maintain my private practice. It was not unusual to be in trial four to five days a week for purposes of maintaining my private practice and serving as a prosecutor.

Following selection as a District Associate Judge, I was able to apply my diverse legal background to my work on the bench. As a District Associate Judge, I presided over criminal proceedings, ranging from initial appearances to felony jury trials, averaging 200 evidentiary cases per month, including juvenile delinquency matters, from simple misdemeanors to felony filings, waiver hearings, neglect and dependency proceedings, and termination of parental rights cases. As a District Associate Judge, I also handled

civil proceedings up to a jurisdictional amount of \$10,000.00. Additionally, as a District Associate Judge, I was also involved in the on-call rotation, handling after-hour search warrants and emergency mental health and substance abuse matters, as well as weekend and holiday criminal initial appearances.

After being appointed as a District Court Judge by Governor Terry Branstad, I continued to apply my background in the law and judicial experience to the district court docket, having a general jurisdiction docket covering probate filings, family law, and criminal cases, including jury and bench trials, civil protective order requests, involuntary civil commitment proceedings, including mental health and substance abuse, and post-conviction relief cases.

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

Other than my role as a mother, I consider my service as a judicial officer my most important responsibility and I work diligently every day, whether on the bench or off the bench, to ensure that the judicial office I hold is respected as transparent, fair, and impartial. If appointed to the appellate bench, I would continue in those efforts. The additional information that I believe would assist the State Judicial Nominating Commission are my attributes in the areas of experience, mindfulness, work ethic, judicial commission involvement, and judicial education, as follows:

Experience: As a former *trial lawyer*, I would bring a wide range of expertise to the

appellate bench. During my time at Creighton University Law School, I interned at three positions, all distinctly different. I clerked at Stuart, Tinley, Peters, French, Thorn & Hughes, Council Bluffs, Iowa, which was a large firm specializing in civil litigation. I also clerked for Creighton University's General Counsel, where I worked in the areas of employment and education law. Lastly, I clerked at Omaha's Legal Aid, where I was able to be involved with family law, landlord/tenant, and domestic violence issues. After graduation and during my 20 years of practice, I was a *general practitioner, defense attorney, prosecutor, and municipal attorney*. As a general practitioner, I practiced law in the areas of real estate, including farm leases and terminations, completing title opinions, and residential real estate transactions. I also handled landlord/tenant disputes. In my 20 years of practice, I handled over 500 family law cases. I represented a major adoption agency across Iowa and also served, prior to being appointed a prosecutor, as a guardian ad litem for children involved in the court system, whether in a dissolution proceeding or a dependency and neglect action brought by the State. My former law firm represented over 25 school districts across Iowa, and as such, I gained experience in representation of school boards, superintendents, and teachers. Additionally, my practice involved the drafting of wills, guardianships, and conservatorships. In my role as a prosecutor, I handled misdemeanor and felony prosecutions and the juvenile court docket, including delinquency and neglect and dependency matters.

As a *District Associate Judge*, I presided daily over the following: criminal bench trials, jury trials, up to a Class D felony, civil litigation with a jurisdictional limit of \$10,000, child in need of assistance cases, juvenile delinquency cases, detention hearings, mental

health and substance abuse involuntary commitments, and search warrant applications. As I was also in the on-call rotation which included weekend initial appearances, I was on the bench seven days a week during my on-call designated time.

As a *District Court Judge*, I continue to preside daily over the following: criminal bench trials, criminal jury trials, up to Class A felony cases, civil litigation with no jurisdictional limit, probate matters, including estate matters, guardianships and conservatorships, mental health and substance abuse involuntary commitments, domestic proceedings, including dissolutions, non-marital custody cases, civil domestic abuse filings, and post-conviction relief cases.

Mindfulness: For every case that comes before me, I do my best to exercise mindfulness in interactions with the litigants that appear before me. As a judicial officer, it is important to carefully choose not only your words, but your tone. Every dispute, by the very nature of litigation, will have a “winner.” However, even for the litigants who receive an adverse ruling, the message should be delivered in a respectful manner. Every litigant comes before the bench with both positive and adverse, sometimes tragic, life experiences and it is important to recognize the same from the bench.

Work Ethic: The Honorable Judge James D. Scott, current senior judge with the Iowa Court of Appeals, gave me the following advice when I was appointed to the bench: “Good news or bad, people want to learn it sooner versus later.” In keeping with such advice, I have worked hard to make sure all my rulings are out in a timely manner, which requires working nights and weekends. Additionally, a strong work ethic is required to be

a respected judicial colleague, as it takes all hands on deck to keep the justice system turning in an expeditious fashion. I am confident this attribute, which I possess, will be beneficial to and appreciated by the appellate bench, attorneys, and litigants. Lastly, I was born in LeMars, Iowa, raised in Orange City, Iowa, and moved to Schleswig, Iowa, when in private practice following law school. With the exception of college, I have spent my entire life in rural northwest Iowa. I have also spent a considerable amount of time traveling to Sioux City, Iowa, to preside over cases. As such, I am a true representation of the people of Iowa. I am dedicated, organized, well-versed in the law, and extremely hard-working.

Judicial Commission Work and Education: In the last 10 years, the judicial branch has changed vastly in how business is done with the implementation of EDMS (Electronic Data Management System). I currently serve on the Judicial Technology Commission, and have presented at various Continuing Legal Education courses on the use of electronic exhibits. While technology has changed the way we conduct business, we must also be mindful of the perils of such in dealing with the confidential nature of the matters we handle. I understand the importance of both aspects in my work on the judicial technology commission and on the bench. Second, ongoing education for the judicial branch is critical, and I have taken every opportunity presented to further the quality of the work of the judicial branch and to appreciate and learn from how judicial work is conducted across the state and across the nation. In addition to the required continuing legal education I have attended in Iowa on a yearly basis, I have attended the National Judicial College on three separate occasions and have earned certificates of completion in

three separate courses, all held at the University of Nevada, National Judicial College.

The judicial courses I have completed at the National Judicial College are:

General Jurisdiction (2017), which included course work in communication, neuroscience of judicial decision-making, self-represented litigants and procedural fairness, interpreters and non-citizens, evidence, domestic violence, electronically-stored information, ethics in technology use, social media, first amendment media issues, judicial writing, Fourth Amendment, sentencing, jury management, courtroom security, judicial discretion, contempt, and judicial ethics.

Advanced Special Court Jurisdiction (2015), which included course work in contempt and trial disruption, search and seizure, evidence, criminal and civil procedure, exporting drug court concepts to traditional courts, domestic violence, impaired driving, intersection of immigration and traffic court, case flow management, procedural fairness, judicial writing, addictive behavior and psychopharmacology, cultural competence, ethics, courtroom security, and technology in the courtroom.

National Council of Juvenile and Family Court Judges Conference (2013), which included course work in judicial ethics and leadership, foster care, Indian Child Welfare Act and state-tribal collaboration, attachment and bonding, substance abuse, removal and foster care, and reasonable efforts in dependency cases.

ICWA: In addition to the above specialized training, I also was selected to attend a Federal course on the implementation of the new standards as revised on December 12,

2016, concerning the Indian Child Welfare Acts, State and Federal, Pierre, South Dakota.

Designated Adoption Records Judge: Since being appointed to the bench, I have also assumed the responsibilities for all adoption records requests filed in Woodbury County. Since assuming the responsibility, I have handled approximately 200 adoption record searches. In order to streamline the process for applicants, I developed a template order that allows for the requests and the orders concerning the same to be filed electronically, even for files that stem back to the early 1900s, while keeping such files at the highest security level. This has expedited the process for citizens requesting information from sealed adoption records.

Adoption Saturday Judge: Since being appointed to the bench, I have served for four consecutive years as a volunteer judge for Adoption Saturday, a national event held on a Saturday every November to promote adoption and raise awareness of the number of children in foster care awaiting their forever home.