

APPELLATE JUDICIAL COMMISSION
Instructions to Applicants for the
Judge Draper Vacancy
Missouri Court of Appeals, Eastern District

1. Download and submit the application from Your Missouri Courts website (www.courts.mo.gov) listed in the “Quick Links” box under “Judicial Vacancies.” You may enter your answers directly onto the downloaded form, creating sufficient space for your answers.
 - a. The **writing sample(s)** referenced in question No. 26 of the application should show how you consider and address a legal issue and may include appellate briefs, law review or journal articles, written judicial decisions, or other documents that reflect your ability to think and write. Please do not provide a document that includes substantial work of others.
 - b. In selecting **five references** who are thoroughly familiar with your personal and professional qualifications, please recall that these references may not include any judge of the Supreme Court of Missouri or of the court to which you are applying. As to each of the five references, **please provide name, title, mailing address, telephone and e-mail address.** *Please note* that it is your responsibility to contact these references, although if you intend to use as a reference a federal judge or other individual who only can provide a reference upon a specific request by the interviewing authority, please advise the commission, and it will send that reference such a request. Please provide each reference with a copy of the “Guidelines for References” and direct them to send their letters of reference **via e-mail to EDJudgeVacancy@courts.mo.gov**, saved as Microsoft Word or PDF documents only, in accordance with the guidelines. If the references do not have access to e-mail, they may send the reference letters to the commission at the address indicated in No. 3 below. As to all references, it is your responsibility to see that they send the requested letters in a timely manner. Solicitation of additional reference letters is discouraged.
2. **In addition to the application, you also must submit:** (a) the original plus seven photocopies of **a photograph at least 4x6 inches in size**; and (b) the original plus seven photocopies of **your undergraduate and law school transcripts**.

3. You must complete and *mail* the original plus seven copies of: (a) the signed application; (b) the photographs and transcripts listed in No. 2 above; and (c) at least one, but no more than three, writing sample(s), **flat, unfolded and unbound**, to the Appellate Judicial Commission, P.O. Box 150, Jefferson City, Missouri 65102 (if necessary, overnight deliveries should be directed to 207 West High Street, Jefferson City, Missouri 65101). This mailing must be postmarked no later than **5 p.m. Monday, Nov. 21, 2011**, but earlier submission *strongly* is encouraged.
4. You also must *e-mail* the application and your attachments, including any transcripts and writing sample(s), **each saved as a Microsoft Word or PDF document only**, to the commission at EDJudgeVacancy@courts.mo.gov no later than **5 p.m. Monday, Nov. 21, 2011**. Again, earlier submission strongly is encouraged. You are not required to e-mail your photograph, as some formats are not compatible.
5. Supreme Court Rule 10.31 (attached) governs the conduct of applicants for judicial office. You are advised to read it and conduct yourself accordingly

SUPREME COURT RULE 10.28

PUBLICITY – INFORMATION FOR THE COMMISSION – INTERVIEWS

(a) When a vacancy occurs or when it is known that a vacancy will occur at a definite future date, the chairman shall publicize the same and solicit the submission of names of individuals qualified for such vacancy. When the commission announces that it is accepting applications, it shall encourage members of the public to nominate well qualified candidates for the commission to consider. Prior to the meeting of the commission, an appropriate questionnaire shall be sent to each person whose name is proposed, to be completed and returned to the chairman of the commission. Copies of the completed questionnaire shall be provided each member of the commission prior to the meeting called for the taking of the formal action by the commission in making its nominations.

(b) Except as provided in Rule 10.28(d), no publicity shall be given by the commission of the names of persons under consideration for nomination. The commission may submit the names of applicants to others on a confidential basis for the purpose of securing appropriate background information to the extent authorized by the applicants' signed written waivers.

(c) Any meeting called for the purpose of taking formal action in making nominations necessarily involves discussion of applicants' personal information and shall, therefore, be a closed meeting. All matters discussed at said meeting, except the matters contained in the certificate of nomination, shall be kept confidential.

(d) Prior to any meeting called to take formal action in making nominations, the commission will select from all the applicants those it will interview. Each of the selected applicants shall be interviewed by the commission as a whole, and those interviews shall be public. The names of those to be interviewed, the time and place of the public interviews, and information relating to the number and characteristics of all applicants shall be released prior to the public interviews. Other than the names of the persons it selects to interview, the commission shall not release any personally identifiable information about any person not included in the certificate of nomination.

(e) Within 72 hours of submitting the certificate of nomination, the commission shall transmit to the governor the applications and other information submitted to the commission pertaining to the persons contained in the certificate of nomination. Within the same time, the commission shall make public a copy of the applications submitted by the persons included in the certificate of nomination, but with personal or confidential information redacted.

SUPREME COURT RULE 10.31

CANDIDACY AND SELECTION OF JUDGES

The conduct of candidates for any judicial office to be filled pursuant to sections 25 (a)-(g) of article V of the Missouri Constitution shall be governed by and be in accord with the applicable provisions of the rules of professional conduct and canons of judicial ethics. In particular the aspiration of lawyers for judicial position should be governed by an impartial estimate of their ability to add honor to the office and not by a desire for the distinction the position may bring to themselves. If a judge, or a person in an office of a judicial nature, becomes a candidate, he should refrain from all conduct that might tend to arouse reasonable suspicion that he is using the power or prestige of his judicial position to promote his candidacy. He should not permit others to do anything in behalf of his candidacy which would reasonably lead to such suspicion.

It is the duty of the bar to endeavor to prevent partisan considerations, political or otherwise, from outweighing judicial fitness in the selection of judges. The bar should protest earnestly and actively against the selection of those who are unsuitable for the bench.



APPELLATE JUDICIAL COMMISSION
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MEMBERS

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