

BOARD OF SUPERVISORS



COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060-4069  
(408) 454-2200 ATSS 564-2200 FAX (408) 454-3262 TDD (408) 454-2123JANET K. BEAUTZ  
FIRST DISTRICTWALTER J. SYMONS  
SECOND DISTRICTMARDI WORMHOUDT  
THIRD DISTRICTRAY BELGARD  
FOURTH DISTRICTJEFF ALMQUIST  
FIFTH DISTRICT

AGENDA: 1/12/99

January 5, 1999

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

RE: APPOINTMENT PROCESS FOR THE POSITION OF  
SANTA CRUZ COUNTY DISTRICT ATTORNEY

Dear Members of the Board:

With the appointment of District Attorney Art Danner to the Santa Cruz County Superior Court, it is the responsibility of our Board to select a District Attorney to serve until the election to be held in March, 2000. Given the level of interest in this position, I believe it is important to develop a public process that allows the applicants to communicate with both us and the citizens of the community.

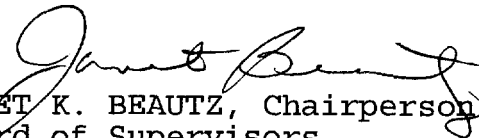
I would thus recommend that the Board approve the following process for appointment to the position of District Attorney:

1. A written application form, sample attached, to be submitted by all applicants to the Chairperson of the Board of Supervisors no later than 5:00 p.m. on February 1, 1999.
2. Two evening meetings to be held on February 9 and February 23 to allow discussion and questions for the applicants.

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3. A meeting to be held on the evening of March 2, 1999, with final action to be taken on this matter at that time.

Sincerely,

  
JANET K. BEAUTZ, Chairperson  
Board of Supervisors

JKB:ted  
Attachment

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TO ALL APPLICANTS FOR THE POSITION OF SANTA CRUZ COUNTY DISTRICT ATTORNEY

Thank you for your interest in the position of District Attorney for the County of Santa Cruz.

Attached is an application for appointment for you to complete and return at your earliest convenience, but no later than 5:00 p.m. on February 1, 1999. Copies of your application will be provided to each member of the Board and will be available for public review.

Please comply with the following special instructions in completing the application:

1. The information requested on pages 1 and 2 should be typed in the spaces provided. You may, however, augment your answers to the questions contained on pages 1 and 2 by use of separate attachments, as necessary.
2. The information requested on the remaining pages should be answered sequentially on plain, letter-sized paper. Please restate the question before each answer. Your answers should be typed, single-spaced, and numbered according to the question asked.
3. Pages 1 and 2 (with your answers typed thereon) and your answers to the remaining questions should be stapled together and submitted to the Chairperson of the Board of Supervisors at the address indicated below.

Chairperson  
Santa Cruz County Board of Supervisors  
701 Ocean Street  
Santa Cruz, CA 95060

APPLICATION FOR APPOINTMENT  
AS SANTA CRUZ COUNTY DISTRICT ATTORNEY

\*NOTE: Items 3-5 will be kept confidential.

Date: \_\_\_\_\_

1. Name: \_\_\_\_\_

2. Business Title: \_\_\_\_\_

Firm/Office: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
City County State Zip

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

3. Residence Address: \_\_\_\_\_

\_\_\_\_\_  
City County State Zip

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

4. Driver's License Number: \_\_\_\_\_

5. Social Security Number: \_\_\_\_\_

6. California Bar Admission Date: \_\_\_\_\_

Bar Number \_\_\_\_\_

7. Are you a registered voter? \_\_\_No \_\_\_Yes

County: \_\_\_\_\_

a. Educational History: (inverse chronological order):

<u>Colleges/Law Schools Attended</u>	<u>From</u>	<u>To</u>	<u>Degree Rec'd</u>	<u>Date Received</u>	<u>Degree</u>
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9. Professional Work History: (inverse chronological order):

<u>Employer</u>	<u>Position</u>	<u>Supervisor</u> (Include Phone)	<u>From</u>	<u>To</u>
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Please answer the following questions sequentially on plain, letter-size paper. The restated questions and the answers should be typed and single-spaced.

10. List your cities of residence for the past ten years (include approximate dates).
11. Give the place of your birth.
12. If you are a naturalized citizen, please give the date and place of naturalization.
13. List all courts in which you are presently admitted to practice, include the dates of admission in each case. Give the same information for administrative bodies having special admission requirements.
14. Describe the general nature of your current practice including any legal specialties which you possess and the character of your typical clients. If your practice is substantially different now than previously, please give details of prior practice.
15.
  - (a) Do you regularly appear in court?
  - (b) What percentage of your appearances in the last five years was in:
    - (1) Federal courts
    - (2) State or local courts of record
    - (3) Administrative bodies
    - (4) Other
  - (c) During the last five years, what percentage of your practice has been trial practice?
  - (d) How frequently have you appeared in court (times per month)? How frequently have you appeared at administrative hearings (times per month)?
  - (e) What percentage of your practice involving litigation has been:
    - (1) Civil
    - (2) Criminal
    - (3) Jury
    - (4) Non-jury
  - (f) State the number of cases you have tried to conclusion in courts of record during the last five years, including whether you were sole, associate, or chief counsel. Give citations of any reported cases.

16. Please list 10 significant litigated cases in which you have appeared as counsel and provide the name of the case, the case number, a brief description of the case, the name, address and telephone number of the opposing counsel, the name of the court and the judge or judges before whom the case was litigated.
17. Summarize your experience in court prior to the last five years. If during any prior period you appeared in court with greater frequency than during the last five years, indicate the periods during which this was so and give for such prior periods the same **type of** information which was requested in Question 17.
18. Have you ever been engaged in any occupation, business or profession other than the practice of law? If so, please give the details, including dates.
19. (A) If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment as District Attorney.  
  
(B) State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.
20. Have you ever held public office or have you ever been a candidate for such an office? If so, give the details, including the offices involved, whether elected or appointed, and the length of your service.
21. Have you ever been summoned, arrested, taken into custody, indicted, convicted or tried for, or charged with, or pleaded guilty to the violation of any law or ordinance for the commission of any felony or misdemeanor (except minor traffic violations), or have you ever been requested to appear before any prosecuting attorney or investigative agency in any matter, military or civil? If so, state the date, name and nature of the offenses, locality, and disposition.
22. Have you ever held or applied for a commission, certificate, credential, or license that required proof of good character aside from admission to practice law? If so, state the date of application, authority to whom made, disposition of application and, if granted, the number and present status.

23. (A) Have you ever held a bonded position? If so, specify the nature of the position, dates, and amount of bond.
- (B) Has anyone ever sought to recover upon your bond or to cancel same?
- (C) Have you been refused bond?
24. Have you ever been sued by a client? If so, please give specifics.
25. Have you ever been a party or otherwise involved in any legal-proceedings (excluding divorce or bankruptcy)? If so, please give specifics. Do not, however, list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or co-respondent, and any grand jury investigation in which you figured as a subject, or in which you appeared as a witness. Please provide the individual name, current address and telephone number of counsel for the parties in each case.
26. Are there any unsatisfied judgments against you, or are you in default in any way in the performance or discharge of any duty or obligation imposed upon you by decree or order of any court (including alimony and support orders and decrees)? If so, state full details.
27. Have you ever been sanctioned in excess of \$1,000 by any court, or have you ever been cited for contempt of any court or body having the power of contempt? If so, give details including names, addresses, and telephone numbers of judges involved.
28. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the specifics. (List any complaint even if it was dismissed or even if it did not result in disciplinary action.)
29. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty and/or unethical conduct? If so, please give specifics, including the full style of the cause.
30. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give particulars.



31. Have you filed appropriate tax returns as required by federal, state, local and other government authorities? If no, please explain.
32. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please give particulars, including the amounts involved.
33. Have you written, edited, or published any legal books, articles or reports? If so, please list them, giving full citations, dates and a general description of subject matter.
34. List any honors, prizes, awards, scholarships, fellowships, or other forms of recognition you have received.
35. (A) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged.  
  
(B) List all organizations and clubs, other than bar associations and professional societies identified in Question 35 (A), of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization.
36. Describe the nature of your non-professional involvement in community affairs.
37. If allegations have ever been printed or broadcast or otherwise been made public concerning you or your activities, views, or statements (irrespective of factual accuracy), which may reflect adversely on your character or job performance, please so state and fully explain.
38. Why do you want to be the District Attorney? Why do you believe you are qualified? What would you seek to accomplish if appointed?

## AUTHORIZATION AND RELEASE

I hereby authorize any governmental, licensing or law enforcement agency, including but not limited to the State Bar of California, agencies of California and the U.S. government to release to the Santa Cruz County Board of Supervisors any and all information which said agencies may have about me, for the purpose of aiding the Board of Supervisors in evaluating my background and qualifications for appointment as District Attorney. This release extends to any and all information which said agencies or any of them have about me, whether public, personal or confidential. I understand that I will not receive and am not entitled to know the contents of confidential reports received from all of the agencies and I further understand that these reports are privileged.

I hereby release and discharge all such agencies, their agents and representatives and any person furnishing information from any and all liability of every nature and kind arising out of the furnishing and inspection of such documents, records, and other information, and this release shall be binding on my legal representatives, heirs, and assignees.

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Date

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Signature of Applicant

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(Type or print name)

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AGENDA: 1/12/99

January 5, 1999

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

RE: SELECTION PROCESS FOR POSITION OF DISTRICT ATTORNEY

Dear Members of the Board:

The recent appointment of District Attorney Danner to the Superior Court has generated a great deal of interest, as well as controversy, within the community. I am certain each Board member has received many calls from constituents expressing interest in or support for certain individuals for the position of District Attorney. The Board has an interesting challenge before it in order to make an appointment. The Board must develop a process that is fair and impartial and demonstrates the Board's thoughtfulness throughout the deliberation.

I would like to recommend at least one option that could be effective in demonstrating an objective selection process. I suggest we form a selection committee made up of two Board members--preferably Supervisors Beautz and Almquist, both of whom are attorneys--a member of the Women Lawyers Association, a member of the Santa Cruz County Bar Association, and a local, retired Judge. This committee would screen the applicants interested in the position of District Attorney using criteria either recommended by the Board, criteria developed by the committee itself, or any combination thereof. Through the screening process the committee would recommend three names to the Board of Supervisors with the accompanying comments and personal vita. The Board would then proceed with its selection.

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January 5, 1999  
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I would appreciate the Board's consideration of this suggestion or any others that would demonstrate the thoughtful deliberation for which this Board is well known.

Sincerely,



WALTER J. SIMONS, Supervisor  
Second District

WJS:pmp

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