

PERSONAL DATA QUESTIONNAIRE
DISTRICT COURT JUDGE - SEVENTH JUDICIAL DISTRICT OF IOWA
THERESA J. SEEBERGER

1. Full name. Theresa Jeanne Seeberger.
2. Current occupation: Magistrate, Cedar County, Iowa; private practice - sole practitioner.
3. I am 49 years of age.
4. I reside in West Branch, Iowa.
5. Military service: none.
6. Grinnell College, Grinnell, Iowa, B.A. - Major in Economics - received 1984.
University of Iowa College of Law, J.D. - received 1988.
7. Admitted to practice in the State of Iowa - admission date - January, 1989.
8. Work Experience

Associate Attorney with Ristvedt & Peters, Vinton, Iowa.
General practice of law. 1989-1990

Benton County Attorney (assistant until June 1991).
Represented the State of Iowa in all criminal prosecutions and in juvenile court;
represented all county officials. 1990-1994

Assistant Linn County Attorney.
Represented the State of Iowa in criminal prosecutions. 1994-2000

Sole practitioner, Coralville, Iowa.
Practice focused on criminal defense and juvenile court matters. August 2003 -
January 2004:

State Public Defenders Office for the State of Iowa.
Criminal defense for Class A and B felonies in the 7th Judicial District.
February 2004 - June 2005

June 2005 - present: Sole practitioner
Practice focuses primarily on criminal defense of indigent persons.

August 2009 - present: Magistrate, Cedar County, Iowa.

9. I was a state prosecutor for approximately 10 years. After a sabbatical I began a private practice with the focus on criminal defense of indigent defendants. This continues to be my focus. In addition, I did served as a full-time public defender during that time period. I currently also serve as magistrate in Cedar County, Iowa. This involves hearing misdemeanor criminal cases, small claims cases, and mental/substance abuse cases. My typical client at this time is an indigent defendant charged with a felony in Scott County, Iowa.

10. A. Throughout my career I have appeared in State district Court several times a week.

B. All of my appearances have been in State Court.

C. Ninety-five (95) percent of my litigation has been in criminal court and five percent in civil matters.

D. A conservative estimate is that I have tried 35 cases to conclusion in the last 10 years. I was sole counsel in all of those.

E. Ninety-five (95) percent have been tried before a jury, and the rest to the Court.

F. My practice has been primarily before courts, including appellate work.

11. First Case: As Benton County Attorney I prosecuted the case of State v. Frederick Martens in 1993. I was involved in the case from it's inception in 1991 when charges were first filed. This involved the sexual abuse of a minor by her mother's boyfriend. Following conviction, the case was appealed and the conviction was upheld. See State v. Martens, 521 N.W.2d 768 (Iowa App. 1994). The primary basis of the appeal was the defendant's claim that he was mentally incompetent to stand trial. At the district court level there had been three separate hearings on mental competency. The (now) Honorable David Grinde represented the defendant at the trial stage. The record made at the district court level provided the basis for the conviction being upheld at trial. This case has been cited several times by appellate courts regarding the issue of mental incompetency, most recently in 2010 in the murder case of State v. Lyman, 776 N.W.2d 865, and most notably in the tragic multiple murder case of State v. Forsyth, 547 N.W.2d 883 (Iowa App., 1996).

Second case: As assistant Linn County attorney I tried the case of State v. Bounds in 1997 (case number SRCR10633). The charge was wanton neglect of a dependent adult. The victim died as a result of the neglect. This was a challenging case since the neglect was by omission and not by any overt act on the part of the Defendant. In addition, since the dependent adult was deceased, she could not be a witness. The jury did return a verdict of guilty. I was involved in

the case from its inception when charges were first filed in 1996. I was sole counsel. Tim Ross-Boon was opposing counsel and the Honorable Patrick Grady was the judge.

Third case: In 2005 I defended my client (as sole counsel) in the first degree murder case of State v. Brown, case number FECR271108. Michael Walton prosecuted the case and the Honorable Judge Mckenrick presided. The case involved a shooting (and death of the victim) in a probable "drug deal gone bad." Following trial to a jury, the jury returned a verdict to the lesser included offense of voluntary manslaughter. I found the case significant in that it demonstrates the jury system at work in that the jury looked at all of the facts and the law and returned a verdict that was consistent with the facts and the law.

12. A. I was appointed as Magistrate to Cedar County, Iowa in August 2009 and continue to serve in that capacity. This is a court of limited jurisdiction regarding the level of criminal cases to be heard and the monetary value of civil suits.

B. I. I have timely filed all 22.10 reports.
ii.- v. I have not taken any matters under advisement longer than 120 days.
13. I was appointed as Benton County Attorney in June of 1991 and then elected to the office in 1992. I served as County Attorney until 1994.
14. I am currently on the Board of Directors of the Landlocked Film Festival out of Iowa City, Iowa. This is a non-profit film festival to promote independent Films. I have been on the Board since its inception in 2007.
15. No.
16. No.
17. No.
18. No. (Other than a traffic ticket to which I pleaded guilty)
19. No.
20. See attached for writing samples.
21. 2005 Team of the Year award from the Iowa State Public Defender's office. Graduated with Distinction from University of Iowa College of Law, 1988.
22. Member of the Iowa Bar Association and the Cedar County Bar Association.
23. During my time as a criminal defense attorney, I have handled numerous cases on

a pro bono basis. I have also handled involuntary guardianship cases and juvenile court cases on a pro bono basis.

24. I have served as a board member on two film festivals in the Iowa City area. I am a member of the Main Street West Branch organization.

25. Christine Dalton, Associate District Court Judge, Scott County Courthouse.

Liz Srp, assistant Clinton County Attorney, Courthouse, Clinton, Iowa.

Nicholas Maybanks, 30 Rocky Shore Dr., Iowa City, Iowa - First Assistant In the Linn County Attorneys Office, Cedar Rapids, Iowa.

Phil Ramirez, Chief, State Public Defender for Seventh Judicial District, Davenport, Iowa.

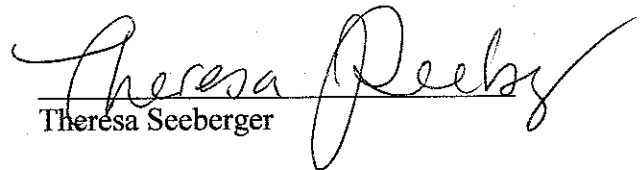
Barbara Maness, 116 E. 6th Street, Davenport, Iowa.

26. Given my extensive experience in the courtroom, I believe I will offer a great deal to the judiciary and the public. I am committed to public service and I have found my work as a magistrate very rewarding.

27. My work ethic, sense of integrity, fairness, and knowledge of the rules of evidence would enhance the Court. I am respected by my peers and have practiced extensively in four of the five counties in the district.

28. I welcome further discussion during the interview process or during individual conversations with commissioners.

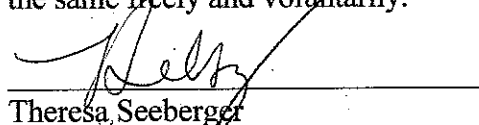
January 25, 2011


Theresa Seeberger

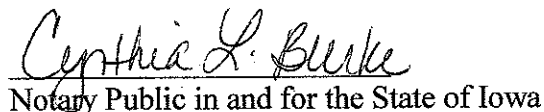
State of Iowa
County of Johnson

The undersigned, upon oath, deposes and states as follows: that she is the person whose signature appears hereinabove on this application; that she has read the same and is aware of the contents thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that she executed the same freely and voluntarily.

January 27, 2011


Theresa Seeberger

SWORN TO AND SUBSCRIBED before me on this 28th day of January, 2011.


Notary Public in and for the State of Iowa

