

**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.**

Larvin Craig Nierman

- 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; Phelan Tucker Law LLP

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

June 12, 1967

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

Iowa City (outside of the city limits), Johnson 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	Degree	Reason for Leaving
University of Iowa College of Law	5/97-6/99	J.D. with High Distinction	Completed degree
American Institute for Chartered Property and Casualty Underwriters	9/93-5/95	N/A	Went to law school
University of California, Davis	1/87-3/90	B.A.	Completed degree
Sacramento City College	6/88-7/88	N/A	Attended summer session only
California State University, Sacramento	8/85-12/86	N/A	Transferred to University of California, Davis

- 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.**
 - 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.**

Partner 4/17-Present	Phelan Tucker Law LLP 321 East Market Street, Suite 200, Iowa City, IA 52245 Thomas H. Gelman, Senior Partner
Attorney and President 1/01-3/17	Nierman Law, P.L.C. 2461 Tenth Street, Suite 307, Coralville, IA 52241 James D. Houghton (we shared an office for six years)
President 1/12-8/13	Revspand, LLC 2461 Tenth Street, Suite 307, Coralville, IA 52241 (Self-employed)
Lecturer 1/10-5/11	Kirkwood Community College 1816 Lower Muscatine Road, Iowa City, IA 52240 Michael J. Bootsma (now at Iowa State University)
President 5/07-8/10	Rising Iron Ministries, L.C. 2461 Tenth Street, Suite 307, Coralville, IA 52241 (Self-employed)
Adjunct Professor 7/09-7/09	Handong Global University, Handong International Law School Pohang, South Korea Eric G. Enlow, Dean
Adjunct Professor 1/08-5/09	University of Iowa College of Law Boyd Law Building, Iowa City, IA 52242 Eric G. Andersen, Dean for Academic Affairs (retired)

Attorney and Law Clerk 3/99-12/00	Dell Richard Law Office 101 East Court Street, Iowa City, IA 52245 Dell A. Richard, Owner
Claim Specialist, Senior Claim Representative, and Claim Representative 7/90-5/97	State Farm Mutual Automobile Insurance Company Iowa, California, and Indiana Kurt Kaupanger, Claim Manager
Staff Assistant 4/90-7/90	Tim Stanish Insurance Agency 601 Van Ness Avenue, San Francisco, CA 94102 (Mr. Stanish is deceased)

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.

State of Iowa, 1999
 United States Court of Appeals, Eighth Circuit, 2001
 United States District Court, Northern District of Iowa, 1999
 United States District Court, Southern District of Iowa, 1999

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.

1999-2004

During the first five years of practice, I represented individuals and small business (please see the answer to Question 28 for a detailed description of my clients). Litigation and transactional matters each constituted about half of my case load. Litigated cases included criminal matters (about 25%) plus a broad range of civil disputes such as business (25%), insurance and torts (25%), as well as family and juvenile (25%). Please see my answer to Question 13 for a detailed description of transactional work throughout my legal career. During this time, I started representing non-profits in First Amendment (i.e., free speech and free exercise of religion) cases and working as an expert witness.

2005-2014

From 2005 to 2014, I continued to represent individuals and small businesses while becoming more specialized in civil litigation. During these years, I started helping families with adoptions and expanded my First Amendment work. After about ten years, insurance and torts comprised approximately half of my legal work, other litigation (e.g., constitutional, criminal, business, family, juvenile, etc.) accounted for roughly a quarter of my case load, and the remainder was transactional matters (see also the answer to Question 13). Approximately 90% of my litigation was in state courts with administrative and federal appearances accounting for about 5% each. Criminal matters constituted about one-tenth of my cases.

2015-Present

My current practice is primarily focused on helping individuals, small businesses, and hospitals with insurance and injury matters (65%), serving as an expert witness in insurance cases (20%), acting as a mediator (4%), as well as handling other work to help

long time clients, serve in pro bono cases, mentor associates, etc. (11%). I represent both plaintiffs and defendants, act as general counsel to dozens of small businesses, advise a number of health care providers, etc. The vast majority of my work—more than 90%—is related to litigation; of these cases, most are in state courts (96%) while I also appear in federal court (2%) as well as in administrative bodies (2%). My criminal work is now limited to a mentoring role.

Last Ten Years

During the past decade, I estimate that I have tried over twenty cases to judgment (I served as sole counsel in all but two, where I was chief counsel) with four being jury trials (half as chief counsel and half as sole counsel). I have appealed to the Supreme Court and/or Court of Appeals four times (half as chief counsel and half as sole counsel) and have prosecuted multiple other administrative appeals. Over the last ten years, I estimate that 90% of all my cases were civil, 6% were administrative, and 4% were criminal.

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. I have handled roughly 150 pro bono cases in the past ten years.
- b. Last year I recorded over 100 pro bono hours (my recent average has been about 75).
- c. My pro bono practice generally falls into three categories:
 1. I represent families in adoptions, a majority of which are international;
 2. I assist numerous nonprofit organizations with civil matters; and
 3. I help under-resourced people in a variety of cases.

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

- 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.

I have not yet held judicial office.

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.
- 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.
 - ii. 180 days.
 - iii. 240 days.
 - iv. One year.

I have not yet held judicial office.

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.**

Case #1

- a. McKibben v. United Healthcare Plan of the River Valley, Inc.; Iowa District Court, Polk County
- b. Mrs. McKibben's health plan denied her request for surgery precertification. I appealed the denial to the Insurance Commissioner pursuant to Iowa Code Chapter 514J. The arbitrator found that the procedure was medically necessary, but ruled it was not covered. I then appealed.
- c. My client was in imminent danger of suffering a major aneurysm secondary to a genetic defect. The hospital required pre-certification or a large cash payment to go forward with the life-saving surgery. The arbitrator sided with the plan's claim that the procedure was experimental, but, at that time, before Chapter 514J was substantially rewritten, once medical necessity was established, the law mandated coverage. I recognized the error and appealed the ruling.
- d. I represented Mrs. McKibben.
- e. I was sole counsel for Mrs. McKibben throughout the case.
- f. 2007
- g. The case was resolved with a confidential settlement.
- h. Not applicable
- i. John F. Lorentzen
- j. Not applicable

Case #2

- a. In Re: Adoption of [five children]; Iowa District Court, Linn County
- b. The adoption of five orphaned siblings.
- c. My clients, a married couple, legally immigrated to Iowa about twenty years ago and were raising their six children while working as custodians. When they learned that five of their African nieces and nephews had lost their parents, they took their savings as well as donations from their church, friends, coworkers, etc., to adopt them.
- d. I represented the adoptive parents.
- e. I handled all legal aspects of the adoptions in Iowa.
- f. 2015-16
- g. All five adoptions were finalized.
- h. I was sole counsel for the parents.
- i. Not applicable
- j. Honorable Casey D. Jones

Case #3

- a. Kendrick v. Ultimate Nursing Services, et al., Iowa District Court, Carroll County
- b. The Kendrick family filed suit alleging intentional torts and negligence.
- c. Ms. Kendrick, who was in her twenties, had significant developmental disabilities and related health issues such that she required around-the-clock nursing care. One of her nurses pled guilty to criminal charges related to stealing some of my client's medication for the nurse's own abuse and then substituting different drugs as an attempted cover up. Ms. Kendrick nearly died as a result.

- d. I represented Ms. Kendrick's parents as her guardians and conservators.
- e. I was chief counsel for the Kendricks throughout the case.
- f. 2013-14
- g. There was a confidential settlement after a year and a half of litigation.
- h. Bruce L. Walker, Iowa City, Iowa
- i. Patricia L. Hoffman-Simanek, Drew Cumings-Peterson, Christine L. Conover, and
Carrie L. Thompson
- j. Not applicable

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

My non-litigation experience greatly enhances my ability to serve in the judiciary.

A. SERVING AS A PROFESSOR AND ACADEMIC AUTHOR

My most significant non-litigation legal experience has been serving as a law professor, both at the University of Iowa and internationally. Law school curriculum is almost entirely appellate court opinions. Developing the course material requires comprehending the body of appellate law for my subject area. I analyzed dozens of state and federal opinions to select those that best illustrate the law and then led students to understand their substance and significance. Teaching has given me the broad view of appellate law while my practice experience has completed the picture with a practical perspective.

Additionally, I brought innovation to the classroom by assigning students to read statutes (i.e., only what legislators wrote rather than statutes quoted in judicial opinions).

I did this because I believe it is important that legal education does not become completely focused on just one of the three co-equal branches of government.

Similarly, teaching on the undergraduate level and co-writing an undergraduate business law textbook has refined my ability to communicate complex legal principles to non-attorneys. This is significant because judges need to be able to connect with people who have never gone to law school as well as lawyers.

B. HANDLING TRANSACTIONAL MATTERS

Substantial experience with transactional matters is important as appeals often involve them (e.g., mortgage foreclosures and evictions originate in real estate law, wrongful death cases have companion probate cases, family law matters generally have significant tax implications, etc.). I have handled numerous non-litigated matters involving business entity formation, governance, and acquisitions; commercial transactions; real estate sales, leasing, subdivision, easements, and zoning; probate, wills, and trusts; as well as tax disputes, returns, and planning. I am the general counsel and/or registered agent for about three dozen corporate entities. I have delivered numerous presentations on transactional topics such as business entity selection and taxation, evictions, conservatorships and guardianships, etc.

Additionally, I have a unique view into transactional matters because my insurance work touches so many other areas of the law. For instance, I have represented farmers in crop insurance claims, which required me to understand yield calculations, commodity pricing, etc. Homeowners' cases often involve the application of building codes. Last year I testified in a securities case that was decided on the basis of the correct

interpretation of the broker's insurance policy and I was recently retained as a consulting expert in a legal malpractice case involving intellectual property.

C. ADVOCATING IN NON-TRADITIONAL LEGAL FORUMS

I have advocated for clients before local agencies such as the board of supervisors, planning and zoning commissions, etc. I also try cases in a number of non-traditional forums such as administrative bodies and arbitration. Recently, I have increased the portion of my practice devoted to serving as a mediator.

D. ENGAGEMENT IN THE ISSUE OF HUMAN TRAFFICKING

I have had the conviction and privilege to get involved in addressing the critical issue of human trafficking. For instance, in the past year I taught at multiple continuing education conferences (sponsors have included the Iowa Law Enforcement Academy, a prosecutor's office, etc.) and spoke to hundreds of students at Iowa State University. These and other presentations are purposed to raise awareness, spur engagement, and equip legal professionals. I now serve on two human trafficking task forces where I work with federal and local law enforcement officials. I expect to serve as an ambassador of the court system by continuing to teach this area of law to judges, attorneys, and others.

E. SUBSTANTIAL ADMINISTRATIVE AND BUSINESS EXPERIENCE

My significant business and administrative experience is described in detail in my answer to Question 28.

- 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 have not sought or held elected office.

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):
- Name of business / organization.
 - Your title.
 - Your duties.
 - Dates of involvement.

Since 2013, I have handled administrative matters for my wife’s business, Freesia

Support Services, LC, as secretary and treasurer.

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.

Organization	Committees / Offices	Dates
Iowa Defense Counsel Association	Not applicable	2020-Present
Iowa State Bar Association	Bar Insurance (term ended 2019), Jury Instructions, and Professionalism Committees	1999-Present
American Bar Association	Health Law as well as Tort Trial and Insurance Practice Sections	1999-Present (inactive circa 2001-17)
Johnson County Bar Association	Not applicable	1999-Present (inactive circa 2011-17)
Iowa Association for Justice	Not applicable	2001-Present
American Association for Justice	Anti-Human Trafficking and Insurance Sections; Bad Faith Litigation Group	2005-Present
The Federalist Society	Not applicable	2018-Present
American Inns of Court, Dean Mason Ladd Chapter	Not applicable	2016-2018
Christian Legal Society	Not applicable	Circa 2001-11

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.

Organization	Involvement	Dates
Ronald McDonald House	Volunteer	Circa 2010-Present
Informed Choice of Iowa Corporation	Counsel and former board member	2007-Present
Johnson County Human Trafficking Coalition	Member	2019-Present
Eastern Iowa Regional Task Force	Member	2019-Present
University of Iowa College of Law	Judge, Moot Court	Circa 2012-Present
Parkview Evangelical Free Church	Member, elder, counsel, ministry and small group leader, Sunday school teacher, etc.	2001-19
Christian Legal Society, University of Iowa Chapter	Unofficial advisor	Circa 2004-17
Saint Andrew Presbyterian Church	Former member, Board of Deacons co-chair, Personnel Committee member, and counsel	1994-2001
[local youth sports teams]	I coached numerous sports teams that my children were involved in	Circa 1995-2010
Boy Scouts of America	Former den leader and assistant scoutmaster; inducted into the Order of the Arrow	Circa 1999-2010

(I have omitted organizations where my only involvement was pro bono legal work)

- 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.**

I have not yet held judicial office.

- 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.**

I am providing two briefs as well as a digital link to the two chapters I wrote for a college business law textbook.

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.**

To my knowledge, I am not related to any of the Commissioners.

- 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.**

I have no known business relationships with any of the Commissioners.

- 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.**

I wrote two of the chapters in *Comprehensive Business Law* (2nd edition), edited by Michael J. Bootsma (Cognella Academic Publishing, 2017) as well as the continuing education materials marked with an asterisk (*) in my answer to Question 23.

- 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.**

Title	Summary	Group	Date
Human Trafficking Law	An overview of the trafficking issue as well as Iowa and federal human trafficking law (two presentations)	Iowa State University, Ivy College of Business	2/20
Anti-Human Trafficking Law*	Analysis of Iowa and federal human trafficking law	Iowa Association for Justice	11/19
Civil Litigation on Behalf of Human Trafficking Victims*	Analysis of Iowa and federal human trafficking law	Iowa Law Enforcement Academy, et al.	11/19

Human Trafficking Law	An overview of the trafficking issue as well as Iowa and federal human trafficking law (two presentations)	Iowa State University, Ivy College of Business	10/19
Human Trafficking Law	Analysis of Iowa and federal human trafficking law	Johnson County Attorney's Office	7/19
Human Trafficking Law	Analysis of Iowa and federal human trafficking law	Johnson County Bar Association	5/19
Helping Retained Experts Present Extraordinary Testimony*	Analysis of Iowa and federal law pertaining to the qualification of expert witnesses	Iowa Association for Justice	11/17
Iowa Insurance Law	Overview of Iowa insurance law	Johnson County Bar Association	10/17
Iowa Insurance Law*	Overview of Iowa insurance law	Iowa State Bar Association	7/17
Bad Faith in UM/UIM Practice*	Analysis of Iowa bad faith law in uninsured and underinsured motorist litigation	National Business Institute	12/16
Propriety of Insurance Claim Professional Testimony*	Analysis of Iowa and federal law pertaining to the qualification of expert witnesses in uninsured and underinsured motorist litigation	National Business Institute	12/16
Role of the Lawyer for the "Proposed Ward"	Explaining the role of the ward's attorney in Iowa conservatorship and guardianship proceedings	University of Iowa Legal Clinic	10/16
God's Will	Biblical analysis of God's will and how to discern it	Christian Legal Society, University of Iowa Chapter	10/16
Insurance Experts: Choosing, Interacting with, Defending, and Challenging*	Analysis of federal law pertaining to the qualification of expert witnesses in insurance litigation	American Association for Justice	7/16
God's Heart for the Nations	Biblical exposition of the inclusion of all ethnicities in God's Kingdom	24/7	7/16
Evictions in Iowa	Analysis of Iowa eviction law	National Assoc. of Housing and Redevelopment Officials	4/16
[Guest speaker]	Presentations on general legal topics, career advice for future attorneys, etc. (numerous presentations)	Iowa State University, Ivy College of Business	circa 2013-16

[Various seminars]	Discussant on multiple panels for students covering law school orientation, career planning, legal clinic participation, etc.	University of Iowa College of Law	circa 2010-16
Entity Choice	Presentations to entrepreneurship classes on choosing the appropriate entity and tax classification	Iowa Centers for Enterprise/Iowa Small Business Development Center	circa 2008-15
The Story of “Unanswered Prayer”	Biblical study of why some prayers appear to be ineffective	Parkview Evangelical Free Church	11/14
Hundredfold Joy	Sermon from the Gospel of Mark (while a nearby church was without a pastor)	Community Bible Church	11/14
Avoiding Deserts: God’s Strategy or Satan’s?	Sermon from the Gospel of Mark (while a nearby church was without a pastor)	Community Bible Church	9/14
A Life of Prayer	Adult Sunday school lessons on multiple aspects of prayer (three presentations; co-taught)	Parkview Evangelical Free Church	6-7/14
Developing Godly Character	Adult Sunday school lesson on the development of godly character	Parkview Evangelical Free Church	5/14
Leadership in the Family	Adult Sunday school lesson on biblical leadership in the family	Parkview Evangelical Free Church	3/14
Philippians 3:1-11	Expositional study of these verses for a young adults’ group	Parkview Evangelical Free Church	2/14
Connecting with People this Summer	Adult Sunday school lesson on practical steps to building relationships	Parkview Evangelical Free Church	6/13
Worry	Adult Sunday school lesson on what the Bible says about eliminating anxiety	Parkview Evangelical Free Church	4/13
Break the Chains: Comparison	Adult Sunday school lesson on eliminating jealousy and envy	Parkview Evangelical Free Church	4/13
When God Shows Up in Our Romance	Co-taught at a marriage conference	Parkview Evangelical Free Church	3/13
When God Shows Up in Husband World	Men’s group study about what the Bible says about being a loving husband	Parkview Evangelical Free Church	2/13
[continued on next page]			

Life, Crisis Pregnancies, and Unwanted Children: A Biblical Perspective	Adult Sunday school lesson on caring for people in the context of unwanted pregnancies and when life begins	Parkview Evangelical Free Church	7/12
Gospel of Mark	Adult Sunday school lessons on the Gospel of Mark (three presentations)	Parkview Evangelical Free Church	4-5/12
Strategies for Dealing with Adjusters and Carriers*	Presented strategies for interacting with insurance companies	Iowa Paralegal Association	4/12
Strategies for Dealing with Adjusters and Carriers*	Presented strategies for interacting with insurance companies	Wisconsin Association for Justice	3/12
Real Life Intimacy	Co-taught at a marriage conference	Parkview Evangelical Free Church	2/12
Persecution and Suffering: A Biblical Perspective	Adult Sunday school lesson on persecution and suffering	Parkview Evangelical Free Church	10/11
Adjustment Reorder: Strategies for Dealing with Adjusters and Carriers*	Presented basic strategies for interacting with insurance companies	Iowa Association for Justice	8/11
How to Be Filled with the Holy Spirit	Men's group study on what the Bible says about being filled with the Holy Spirit	Parkview Evangelical Free Church	7/11
A Biblical Theology of Money	Adult Sunday school lesson on what the Bible says about money	Parkview Evangelical Free Church	5/11
Appealing Health Insurance Claim Denials*	Analysis and application of Iowa Code Chapter 514J	Iowa State Bar Association	5/11
Conquering Lust: Training Ourselves for Righteousness	Men's group study about what the Bible says about overcoming lust	Parkview Evangelical Free Church	5/11
A Man and His Relationships: Marriage	Men's group study on what the Bible says about being a loving husband	Parkview Evangelical Free Church	11/10

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.

LinkedIn: L. Craig Nierman
Facebook: Craig Nierman

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.

Honor, Prizes, Award	Awarding Organization	Date
Pro Bono Honor Roll	Iowa State Bar Association	10/18
Mediator of the Academy	International Academy of Dispute Resolution	9/17
Superb (10 out of 10 rating)	Avvo	5/18
Induction	Order of the Coif	6/99
Law Merit Scholar	University of Iowa College of Law	8/98

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.

Name	Telephone number	Nature of Relationship
Steven E. Ballard, J.D. Partner Leff Law Firm, LLP	319-338-7551	I have known him since before I went to law school. We now often have cases against each other.
Michael J. Bootsma, J.D., M.Acct., M.Tax. Dean's Teaching Fellow Iowa State University	515-493-8668	I helped mentor him through law school and remain in close contact with him. He has become a colleague and friend. He is the editor of the textbook I co-wrote.
Wesley V. Carrington, J.D. Senior Attorney Deer & Company	309-765-8000	I helped mentor him through law school. He has become a colleague and friend.
Charles A. Damschen, J.D. Partner Hamilton IP Law	563-441-0207	He is a colleague and friend.
Thomas H. Gelman Senior Partner Phelan Tucker Law LLP	319-354-1104	He is a partner, colleague, and friend.
Jonathan C. Landon, J.D., L.L.M. Partner Shuttleworth & Ingersoll, P.L.C.	319-365-9461	I helped mentor him through law school and remain in close contact with him. He has become a colleague and friend.
Michael G. Thieme, J.D. Lieutenant Colonel United States Air Force	701-610-6839	I helped mentor him through law school and remain in close contact with him. He has become a colleague and friend.

(all of the above are members of the Iowa bar)

27. Explain why you are seeking this judicial position.

While I am enjoying the fruits of a highly specialized practice and the growing reputation of a national expert, I have an intensifying desire to serve my state and country more broadly. I believe that to whom much is given, much is expected and bringing my education, experience, and knowledge to the judiciary is the right way for me to contribute to the rule of law.

28. Explain how your appointment would enhance the court.

I bring a unique combination of practice and leadership experience as well as intellectual abilities that will strengthen the Supreme Court's two primary roles.

A. ADMINISTRATIVE

Appropriately, there is much attention regarding the court's adjudicative role (i.e., deciding legal cases and writing opinions). We also need to be concerned about its duty to effectively lead the Iowa Judicial Branch. Government must focus on the needs of its customers and its obligation to be a trustworthy steward of the tax dollars that Iowans sacrificially provide. I expect my experience and outlook to contribute to excellent administrative leadership.

1. Business and Other Leadership Experience

My business background has provided me with unique insights into administrating the state court system. While working for the nation's largest insurance company, I accepted the challenges of numerous leadership responsibilities and interacted with thousands of people including corporate executives, a diverse group of claimants, support staff, and vendors.

In 2001, I created a small business and for sixteen years I was ultimately responsible for everything (e.g., leading employees, coordinating vendors, marketing, making payroll, complying with tax regulations, etc.). I learned the necessity of making those components work together to serve the needs of customers. In my current firm, I often handle some of our largest administrative challenges.

I have extensive non-business experience helping teams create and achieve important goals. From serving in numerous nonprofit leadership positions, teaching in public and private colleges, and participating in several Iowa State Bar Association committees (e.g., Professionalism, Jury Instructions, etc.), I have learned how to help create the right vision and execute it. I expect to help the Judicial Branch strengthen its connections with law schools and recruit quality law clerks through my connections with and experiences in the academic community.

2. Focus on Excellence and Service

My perspective on leadership will help the court system pursue excellence and service. While finishing my law degree at the University of Iowa, I did some public administration graduate work at the College of Business (Governor Branstad was one of my instructors). This increased my understanding of the unique challenges and opportunities in the governmental sector. For example, companies are corrected for poor decisions in the form of decreased profits. However, in government, tax collections continue despite failures to care for customers. So, public sector leaders must think creatively and use innovative strategies to increase performance and insure accountability.

Providing extraordinary service, being accountable to taxpayers, and having a

right view of the role of the judiciary (see also the last subsection to this answer) are the guiding principles that will make Iowa courts fair, customer-oriented, and limited to their constitutional boundaries. Leaders must articulate a compelling vision and effectively show frontline personnel what their part is in creating a system that is citizen driven. This is particularly challenging in the public sector because government generally entails a more diffused organizational structure (i.e., separation of powers) and more frequent leadership changes (e.g., elections every two to four years). So, it is critical to have justices that understand the unique challenges of leading in the public sector and how to inspire teams to focus on the needs of those who come to Iowa's courthouses.

Woven throughout the organization must be an overriding sense of service and excellence. Many people wrongly think that leadership is elbowing their way to the top so they can control things. However, that is just selfishness. By contrast, when team members are focused on serving the goals of the organization, each other, and customers, there is unity of purpose.

On a more practical level, dedication to excellence is largely modeled rather than taught. Among other things, it mandates outworking our direct reports, upholding the highest ethical standards, taking appropriate risks, and listening for the needs of others. It includes giving proper credit to others when there is success and accepting responsibility when there is not. In short, it is the antithesis of selfishness.

B. ADJUDICATIVE

I expect to contribute greatly to sound judicial decision making and legal scholarship.

1. Academic Qualifications and Experiences

My academic experiences and intellectual abilities have prepared me to apply the correct legal principles in each case and to influence colleagues to exercise judicial restraint. I finished the three-year law school curriculum in two years and graduated with high distinction. Induction into the Order of the Coif (the national legal honor society) followed. I have served as a law professor both at the University of Iowa and internationally and have taught on the undergraduate level; I co-wrote the business law textbook that is used at Iowa State University and other colleges. I am ready to intellectually defend against efforts to make the court system a public policy making body.

2. Wide Practice and Geographic Experience

My legal experience is both deep and wide.

By my mid-20s I was supervising some of State Farm's retained attorneys while negotiating directly against claimants' lawyers. I oversaw trials and depositions, confronted insurance fraud, and wrote hundreds of thousands of dollars in claim checks. After law school, I handled a broad range of litigation and transactional cases (please see also the answers to Questions 8 and 13). Today I have a specialized practice in one of Iowa's most respected law firms; I also serve nationally as an expert witness in insurance cases in both state and federal courts.

Additionally, I have represented several nonprofit and religious groups in free speech cases after they were wrongly sanctioned by governmental entities for holding unpopular views. This is particularly relevant as the Supreme Court handles a large number of Iowa's constitutional law appeals.

The hundreds of Iowans I have been privileged to help include the following:

- entrepreneurs starting new ventures as well as retiring business owners converting their assets to retirement income;
- parents adopting children and juveniles facing delinquency charges;
- business owners confronting embezzling employees as well as workers who were sexually harassed;
- police officers injured in the line of duty and people accused of crimes;
- hospitals and medical clinics dealing with complex insurance and litigation matters as well as adults and children needing life-saving treatment;
- businesses entering new markets plus non-profits needing legal help they cannot afford; and
- attorneys, doctors, and millionaires in addition to widows, single moms, and unskilled laborers.

I have met them in their homes, at their farms, in their offices, in jails, and next to their hospital beds.

The broad geography of my practice has helped me know the breadth of Iowa. I have appeared in courts and/or represented people who live in about two-thirds of Iowa's counties. From the urban centers to the courthouses that only see a judge every fourteen days, I have traveled, observed, and listened.

As a result, I have a deep understanding of Iowans and their communities in addition to the diverse areas of law that the Supreme Court applies.

3. Collegiality

As the letters from lawyers and clients supporting my application testify, I have learned how to influence and build relationships with a broad range of people in varied settings. Some of the attorneys recommending me have represented my clients' adversaries and know my ability to collaborate professionally in challenging settings.

Whether it is trying a case, teaching law, writing a brief, being cross examined as an

expert witness, mentoring law students, serving on bar association committees, giving dignity to the office custodian, or leading seminars for other attorneys, I have fine-tuned the ability to calibrate my message. I see differing perspectives not as an invitation for conflict but rather as an opportunity for constructive dialogue yielding new approaches. These attributes are essential for effective appellate judges.

4. Judicial Philosophy

Public policy is made by the voters through laws ratified by their elected representatives. A judge's job, first and foremost, is to focus on the text and original intent of what is written, not the desired result. As Justice Sandra Day O'Connor stated, "The proper role of the judiciary is one of interpreting and applying the law, not making it."

This means that a judge's public policy preferences must be subordinated to the rule of law. Justice Antonin Scalia put it this way:

If you're going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach. If you like them all the time, you're probably doing something wrong.

Judges must practice discipline in limiting their role to applying the Constitution, appropriately following precedent, and giving effect to the will of the voters as expressed through valid acts of the legislature. I am committed to exercising judicial restraint to give maximum deference to the voters' decisions.

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

We do not pursue innovation for its own sake, rather, it is a means to the ultimate goal of serving the citizens and taxpayers of the State of Iowa. For example, we know

the value of specialty treatment courts in reducing drug dependency, decreasing crime, strengthening families, and increasing labor market participation. Yet, even in prosperous times, we have not expanded these services as fast as the demand warrants. Similarly, a budgetary gray cloud hovers over the goal of keeping smaller courthouses open. Accordingly, it is necessary to reexamine how we allocate resources.

For example, states like North Carolina, Indiana, Alabama, and Montana have reaped great rewards by dramatically broadening the scale of mandatory mediation. The research shows that mediation is about 87% effective in resolving cases at the trial court level and can reduce the appellate caseload by more than half. Additionally, the data reveals that the vast majority of litigants prefer a mediated resolution to having a result imposed on them at trial. As such, it is a win-win-win; mediation would provide better service to our customers, decrease the number of Iowans that need to take time away from their jobs and families to serve on juries (despite what a great honor jury service is), and reduce the need for judges, court reporters, etc.

Those savings can be repurposed to keep courthouses open and expand drug and family specialty courts while continuing to broaden the use of business specialty courts (which provide for the fair and speedy resolution of business disputes and increase Iowa's reputation as a desirable location to expanding businesses). As a result, innovation would not just provide better service to litigants, but it would also expand the scope of excellence in Iowa's court system.