

**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.**

Theresa Renee Wilson

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

Assistant Appellate Defender, Office of the State Appellate Defender

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

January 25, 1973

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

Des Moines, Polk 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.**

M.A. in Political Science, Iowa State University, Aug. 1996 – Aug. 1998

J.D. in Law, with honors, Drake University, Aug. 1995 – May 1998

Special Student, Political Science, Iowa State University, Aug. 1995 – May 1996  
Independent study transitioning to graduate program with foreign policy and international relations focus

B.A. in Journalism & Political Science, with distinction, Iowa State University, Aug. 1991 – May 1995

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

**7.**

- 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.**

Assistant Appellate Defender, Office of the State Appellate Defender, 4<sup>th</sup> Floor Lucas Building, Des Moines, IA 50319, Mar. 2001 – present  
Former supervisors - Mark Smith and Linda Del Gallo  
Knowledgeable colleague – Martha Lucey

Assistant Public Defender, Office of the State Public Defender, 507 7th Street, Suite 300, Sioux City, IA 51101, Jan. 2000 – Feb. 2001  
Former supervisor – Greg Jones  
Knowledgeable colleague – Jennifer Solberg

Legal Assistant, District Court Administration, 3rd Judicial District, Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA 51101, Aug. 1998 – Jan. 2000  
Former supervisor – Leesa McNeil  
Knowledgeable colleague – John Lundquist

- 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.**

None

**8. 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.**

United States Supreme Court Bar Member, June 9, 2003

Iowa State Bar Member, Sept. 21, 1998

**9. 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 an assistant appellate defender since 2001, I handle criminal and postconviction appeals for indigent clients. I estimate 85 percent of my cases have been direct appeals from criminal proceedings, and 15 percent have been direct appeals from denials of postconviction relief. Postconviction matters are considered civil proceedings.

As an assistant public defender in the Sioux City Adult Public Defender Office from January 2000 until March 2001, I handled criminal proceedings for indigent clients in both misdemeanor and low-level felony cases. I also handled a few probation revocation and parole revocation hearings,

- 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.**

As both an assistant appellate defender and an assistant public defender, my entire practice has involved appearances before courts. As an assistant appellate defender, I brief and argue cases before the Iowa Court of Appeals, the Iowa Supreme Court, and the United States Supreme Court. As an assistant public defender, I handled misdemeanor and low-level felony cases either at trial or through a guilty plea in the District Court. I also represented clients at probation revocation and parole revocation proceedings in the District Court.

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

My entire practice has involved litigation before Iowa's district courts, Iowa's appellate courts, and the United States Supreme Court.

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

As an assistant appellate defender, I estimate 85 percent of my litigation is criminal in nature and 15 percent is civil in nature.

As an assistant public defender, all of my litigation would have been criminal in nature.

- 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.**

Because I have been doing appellate work for the last 18 years, I have not had to try any contested matters before the district courts.

During my year as an assistant public defender in Sioux City, I handled primarily misdemeanors and class D felonies. I believe I had fewer than 10 bench trials, as most of my cases settled by agreement. I would have been sole counsel in these cases.

- 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.**

According to the Iowa Courts Information Service, my name appears as counsel of record in more than 2,000 appeals. A cursory Westlaw search found 391 appellate decisions listing me as counsel of record. The discrepancy between the two figures may be due to voluntary dismissals and withdrawals, including Appellate Rule 6.1005 motions. I would have been sole counsel in the vast majority of cases these case. On several occasions, I may have argued a case briefed by another assistant appellate defender.

**10. 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.**

I have not handled any pro bono cases during my tenure with the State Public Defender system. In lieu of providing pro bono services, I contribute financially to Iowa Legal Aid.

**11. 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.**

I served in a quasi-judicial position as a member of the Iowa Supreme Court's Grievance Commission from August 2005 to January 2014. I was nominated by then-State Public Defender Tom Becker and was appointed to the Commission by the Iowa Supreme Court. Members of the Commission serve on

five-person panels, called Divisions, and hear cases involving claims of ethical violations by attorneys. The Division then issues its findings of fact, conclusions of law, and recommendation in the case. The opinion is filed with the Iowa Supreme Court Clerk. The Iowa Supreme Court then conducts a de novo review of the case and issues a final opinion.

- 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.**

To the best of my recollection, I drafted three opinions as Division President during my tenure on the Commission. The only opinion I issued that was reversed in part was Iowa Supreme Court Attorney Disciplinary Board v. Mark A. Templeton, Docket No. 687 (Feb. 12, 2010). The Iowa Supreme Court overturned previous case law as to when criminal conduct would be considered conduct prejudicial to the administration of justice in violation of Iowa Rule of Professional Conduct 32:8.4(d). Iowa Supreme Court Attorney Disciplinary Board v. Mark A. Templeton, 784 N.W.2d 761 (Iowa 2010).

- 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.**

As a member of the Grievance Commission, I did not write any significant opinions involving constitutional issues.

**12. 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 am not subject to the reporting requirements of Court Rule 22.10.

**13. 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.**

State v. Graves, 668 N.W.2d 860 (Iowa 2003)

I represented Deon Graves from July 2002 to September 2003 on the direct appeal from his convictions for manufacturing and possessing marijuana. I claimed trial counsel ineffective for failing to object to various incidents of prosecutorial misconduct. Richard Bennett, an Assistant Attorney General with the Iowa Attorney General's Criminal Appeals Division in Des Moines, was counsel for the State on appeal.

In a matter of first impression, the Iowa Supreme Court held a prosecutor may not ask a defendant to comment on the veracity of another witness, including whether a police officer made up testimony. The Court also held it was improper for a prosecutor to argue in closing that that defendant lied or that he called a police officer a liar. The prosecutor's misconduct violated Graves' due process rights and Graves' trial counsel was ineffective for failing to object to the misconduct.

The Court's ruling was a significant departure from past cases in which the Court expressed its dissatisfaction with such practices but declined to reverse defendants' convictions. The Graves decision had a substantial impact on prosecutor conduct and left the evaluation of the credibility of witnesses in the hands of jurors.

State v. Tovar, 656 N.W.2d 112 (Iowa 2003), reversed by Iowa v. Tovar, 541 U.S. 77 (2004)

I represented Felipe Tovar from October 2001 to March 2004 on the appeal of his Operating While Intoxicated – 3<sup>rd</sup> Offense and Driving While Barred convictions. I challenged the use of his first OWI conviction for enhancement purposes because it was an uncounseled guilty plea without a valid waiver of the right to counsel. Darrel Mullins, an Assistant Attorney General with the Iowa Attorney General's Criminal Appeals Division in Des Moines, was counsel for the State on appeal.

I won in the Iowa Supreme Court. The Court created a three-part inquiry for determining whether a criminal defendant knowingly and voluntarily waived his right to counsel with respect to a guilty plea. This was a significant development in the law relating to waiver of the right to counsel as it related to guilty pleas.

The State petitioned for certiorari to the United States Court because the Iowa Supreme Court's ruling relied upon the Sixth Amendment to the United States Constitution and not the corollary provision of the Iowa Constitution. I filed a Brief in

Opposition, but the Supreme Court granted certiorari. I filed a brief on the merits in support of the Iowa Supreme Court's decision and argued the case before the United States Supreme Court on January 21, 2004. The United States Supreme Court reversed the decision of the Iowa Supreme Court on March 8, 2004.

Bonilla v. State, 791 N.W.2d 697 (Iowa 2010)

I represented Julio Bonilla from July 2009 to February 2011 on his appeal from the denial of his application for postconviction relief. I claimed his mandatory sentence of life imprisonment without parole was cruel and unusual punishment under the Iowa Constitution and the United States Constitution based on his status as a juvenile at the time of his kidnapping offense. Thomas Andrews, an Assistant Attorney General with the Iowa Attorney General's Criminal Appeals Division in Des Moines, was counsel for the State on appeal.

I filed my brief in Bonilla knowing the same issue was pending in the United States Supreme Court in Graham v. Florida but not knowing how that Court might rule. This is why I raised the issue separately under the Iowa Constitution. Once the Graham decision was issued and established a constitutional prohibition on mandatory life sentences without the possibility of parole for juveniles convicted in non-homicide cases, the Iowa Supreme Court ruled in Bonilla's favor. The federal judge who later considered Bonilla's application for habeas relief stated that I had obtained "historic relief" for my client.

Bonilla was granted the "potential" for parole. Iowa Supreme Court cases since Bonilla have attempted to articulate the standard by which juvenile offenders must be considered for parole release.

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

As a member of the Iowa State Bar Association's Jury Instructions Committee, it is my responsibility to examine new cases handed down by the Iowa Supreme Court and newly enacted statutes to determine how those changes impact the way in which our trial courts should instruct their juries. The focus is on accurately communicating the current state of the applicable law for use at the trial level. In doing so, it is incumbent upon committee members to listen to other members' alternative interpretations of the law. This is a necessary skill for serving on the Iowa Supreme Court, as the Court often has to weigh various interpretations of law and determine which interpretation best represents the purpose of the law. The Jury Instructions Committee has also given me exposure to areas of law outside of the criminal context.

As a member and former chair of the Iowa State Bar Association's Criminal Law Section Council, I collaborated with both criminal defense attorneys and prosecutors in shaping the legislative priorities for the section. As one can imagine, the two groups do not always see eye to eye on legislative proposals. I strived to address other members' differing viewpoints with respectful consideration while responding to the merits of their arguments. During my tenure on the Council, we were successful in having a number of our proposals enacted into law. My experience with the criminal law section shows I am

capable of amicably working with people who have differing viewpoints on substantive legal issues.

As an eight-year member of the Grievance Commission, I participated in issuing recommendations to the Iowa Supreme Court regarding ethics cases presented by the Attorney Disciplinary Board. I wrote several opinions for the Commission, and also authored at least two dissenting opinions. The Iowa Supreme Court issues all rulings in attorney ethics cases, so my significant experience with the Grievance Commission would be of great benefit in considering those cases as a member of the Court.

**15. 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 never held public office.

I applied to serve on the Iowa Court of Appeals in 2009.

**16. 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.

I am currently an at-large director on the Public Defender Association of Iowa Board of Directors. I was elected to the board in June 2019. The purposes of our private nonprofit organization include promoting a better understanding of constitutional and criminal law, promoting equality of justice for all, and promoting quality criminal defense work for all indigent accused persons. We provide an annual criminal law seminar for public defenders, criminal defense attorneys, juvenile court attorneys, and investigators. We occasionally offer amicus support for cases within the purview of our mission.

**17. 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.**

Member, Iowa State Bar Association, Sept. 1998 – present

Jury Instruction Committee, July 2014 – present

Criminal Law Section Council, June 2003 – June 2006, June 2007 – June 2013,  
June 2019-present

Council Chair, July 2009 – June 2012

Member, Legislative subcommittee, June 2016-present



Chair, Seminar subcommittee, July 2005 – July 2009  
Editor, Criminal Law Newsletter, July 2003 – Aug. 2005  
Appellate Practice Committee, June 2003 – June 2004, June 2007 – June 2008

Member, Public Defender Association of Iowa, June 2002 – present  
At-Large Director, June 2008 – June 2009, June 2019-present  
Secretary, June 2009 – June 2011

Member, National Association of Criminal Defense Lawyers, June 2003 – present

Member, Iowa Supreme Court Advisory Committee on the Rules of Criminal Procedure,  
Sept. 2008 – Sept. 2014

Member, Grievance Commission of the Iowa Supreme Court, Aug. 2005 – Jan. 2014

Member, Iowa Supreme Court Expanded Appellate Rules Revision Committee, May  
2007 – Dec. 2007

Member, American Bar Association, Sept. 1998 – June 2002

Third District Representative, Iowa Organization for Women Attorneys, Sept. 1998 –  
Sept. 1999

- 18. 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.**

American Civil Liberties Union of Iowa, Member, Sept. 1998-present  
Board of Directors, Mar. 2000 – Mar. 2007  
President, Mar. 2004 – Mar. 2007  
Executive Committee Member, Mar. 2003 – Mar. 2007  
Legal Committee Chair, Mar. 2002 – Mar. 2004

Midtown Heights Homeowners Association, Member, July 2009 – present  
HOA President, Aug. 2012 – Dec. 2016  
HOA Secretary, Dec. 2010 – Aug. 2012

Downtown School Parent-Teachers Association, Member, Aug. 2019 – present

I am a member of the following organizations but have not kept records as to when I initially became a member. I have provided estimates as to the duration of my memberships:

Greater Des Moines Botanical Center, 2018 – present

The Ocean Conservancy, 2015 – present

Iowa Public Radio, 2015 – present

Science Center of Iowa, 2014 – present

Blank Park Zoo, 2014 – present

The Nature Conservancy, 1998 – present

- 19. 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 previously held judicial office.

- 20. 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.**

Although I have served in a quasi-judicial position with the Grievance Commission, I am providing additional writing samples that reflect the variety of my work. The writing samples I am providing to the Commission include my law review article “Nations Within a Nation: The Evolution of Tribal Sovereign Immunity,” my brief in opposition to the petition for certiorari in State of Iowa v. Marvis Latrell Jackson, U.S. Supreme Court Docket No. 16-157, and my brief for appellee in State of Iowa v. DeWayne Michael Veverka, Iowa Supreme Court No. 19-0603. I have purposely removed the tables from the briefs to decrease the length of the documents.

### **OTHER INFORMATION**

- 21. 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.**

Not applicable.

22. **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.**

Not applicable.

23. **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.**

*Case Law, Digests, and Citators*, Iowa Legal Research Guide (2003)

*Evolution, Creation and Naturally Selecting Intelligent Design out of the Public Schools*, 34 Univ. Toledo L. Rev. 203 (Winter 2003)

*Nations within a Nation: The Evolution of Tribal Immunity*, 24 Am. Indian L. Rev. 99 (1999-2000)

*Who Controls International Trade? Congressional Delegation of the Foreign Commerce Power*, 47 Drake L. Rev. 141 (1998)

During my college career I was also a staff writer for or contributor to the following publications: The Iowa State Daily, the Bomb yearbook, Ethos magazine, The Drummer newspaper, The Siren newspaper, and the Dyersville Commercial.

24. **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.**

**Presenter**, State Public Defender Appellate Training, Sept. 27, 2019  
Appellate ethics

**Presenter**, State Public Defender Postconviction Basic Training, Sept. 26, 2019  
Postconviction appeals and Senate File 589

**Presenter**, Iowa State Bar Association Webinar, Sept. 26, 2019  
Appellate ethics

**Presenter**, Iowa State Bar Association Webinar, Dec. 10, 2018  
“Appeal as breach” provisions in guilty pleas

**Presenter**, State Public Defender Postconviction Basic Training, Oct. 5, 2018  
Postconviction appeals

**Participant**, State Public Defender Appellate Training, Apr. 2014 – Oct. 2017  
Draft appellate practice outline for use at training

**Panelist**, Public Defender Association of Iowa Annual Meeting, July 17, 2016  
Making a record for appeal

**Panelist**, Iowa State Bar Association Annual Meeting, July 13, 2016  
Preserving error for appeal

**Presenter**, SPD Litigating Science Webinar Series, July 2015 – Apr. 2016  
Develop and present webinar series on litigating forensic science cases

**Presenter**, Iowa Justice Reform Consortium Monthly Meeting, Oct. 18, 2012  
Discuss the Appellate Defender Office, ISBA Criminal Law Section

**Presenter**, Iowa Association of Criminal Defense Lawyers Seminar, Nov. 3, 2011  
Upcoming issues in the Iowa Supreme Court

**Presenter**, Iowa State Bar Association Criminal Law Seminar, June 4, 2010  
Issues in appellate practice

**Presenter**, Iowa State Bar Association Criminal Law Seminar, May 29, 2009  
Overview of the grievance process

**Presenter**, Iowa State Bar Association Appellate Practice Seminar, Feb. 20, 2009  
Appellate practice tips

**Presenter**, Legal Support Professionals of Iowa, Sept. 20, 2008  
The ethics of criminal defense

**Presenter**, Public Defender Association of Iowa Seminar, June 19, 2008  
Overview of the grievance process

**Panelist**, ACLU of Iowa Conference on Civil Liberties, May 5, 2007  
Treatment alternatives to incarceration

**Moderator**, Iowa State Bar Association Criminal Law Seminar, Apr. 20-21, 2006  
Moderate panels on ethics rules and handling difficult clients

**Presenter**, Iowa Public Defender 2,000-Foot Rule Workshop, Feb. 20, 2006  
How to make an appellate record

**Panelist**, Drake Law School Black Law Student Association, Oct. 26, 2006  
Public “know your rights” forum on criminal law issues

**Presenter**, Iowa State Bar Association Criminal Law Seminar, Apr. 14, 2005  
State appellate advocacy

**Panelist**, Iowa State Bar Association Criminal Law Seminar, Apr. 29, 2004  
Arguing cases before the United States Supreme Court

**Panelist**, Iowa Conference of Political Scientists, Oct. 3, 1997  
Member of panel studying the U.S. Congress; presented paper on effects of 17th Amendment on the demographics of the U.S. Senate

- 25. 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.**

Facebook – Theresa Wilson

Twitter – Theresa Wilson

- 26. 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.**

**Professional recognition:**

Virginia Larson Award, Public Defender of the Year, Public Defender Association of Iowa, 2018  
Roxanne Conlin Public Service Award, Iowa Association for Justice, 2016  
Presented to the Appellate Defender Office for its work in juvenile sentencing  
John Adams Award, Iowa Association of Criminal Defense Lawyers, 2014  
Outstanding Section Council Chair, Iowa State Bar Association, 2010  
Virginia Larson Award, Public Defender of the Year, Public Defender Association of Iowa, 2007  
Golden Dome Award, Public Defender Employee of the Year, 2004

**Collegiate recognition:**

Drake University Law School

Graduated with honors  
Academic Achievement Award, Law and Religion (Tie), 1997  
Dean's List, 1996 and 1997  
Drake University Student Scholarship, 1995-1997

Iowa State University, Graduate

ISU Premium for Academic Excellence Award, 1996

Iowa State University, Undergraduate

Graduated with distinction  
Member, Honors Program  
Member, Lampos liberal arts and sciences honor society  
Member, Golden Key National Honor Society  
Member, Phi Beta Kappa honor society  
Member, Kappa Tau Alpha journalism honor society  
Member, Alpha Lambda Delta/Phi Eta Sigma honor society  
Dean's List, 1991-1995  
High Scholarship Student Awards (top two percent in the College of Liberal Arts and Sciences), 1992-1995  
Highest Graduating Senior in Journalism, 1995  
VEISHEA Outstanding Student Leader Award, 1995  
Laura Vernon Scholarship for journalism, 1995  
William Randolph Hearst Award for Editorial Writing, 1995  
National Federation of Press Women Junior/Senior Scholarship runner up, 1994  
Carl Hamilton Scholarship (journalism), 1994  
Lane Wells Alumni Scholarship, 1994  
Scripps Howard Scholarship (journalism), 1993 and 1994  
Ruth Church Scholarship (journalism), 1993  
ISU Journalism Alumni Scholarship, 1991  
Admitted with Academic Recognition, 1991

**27. 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.**

Hon. Andrew Chappell, 319-398-3920

The Honorable Judge Andrew Chappell is a district court judge in the 6<sup>th</sup> Judicial District. I have worked with Judge Chappell on the Iowa State Bar Association's Jury Instructions Committee for several years, and we also briefly worked together on the Grievance Commission.

Hon. Elisabeth Reynoldson, 641-342-6229

The Honorable Judge Elisabeth Reynoldson is a district court judge in District 5B. Prior to being appointed to the bench, Judge Reynoldson was an Assistant Attorney General in the Criminal Appeals Division. We sometimes argued cases against one another, but we also collaborated on various matters as members of the Iowa State Bar Association.

Dr. Brian Farrell, 319-521-6862

Brian Farrell is a faculty member at the University of Iowa School of Law. He is the Director of the Citizen Law Program, an Associate Director of the UI Center for Human Rights, and was a co-founder of the Innocence Project of Iowa. Brian and I have served together on the Iowa State Bar Association's Criminal Law Section Council and the Board of Directors of the ACLU of Iowa. We also collaborated on the creation and presentation of the State Public Defender's Litigating Forensic Science webinar series.

Mark Smith, 515-979-0938

Mark Smith is a former State Appellate Defender and my immediate past supervisor. He is knowledgeable regarding my appellate work and my volunteer work with the Iowa State Bar Association.

Erica Nichols Cook, 217-725-6499

Erica Nichols Cook is the director of the State Public Defender's Wrongful Convictions Division. Erica and I serve together on the Board of Directors of the Public Defender Association of Iowa. We collaborated on the creation and presentation of the State Public Defender's Litigating Forensic Science webinar series, and we have also worked together on the State Public Defender's annual Postconviction Basic Training Seminar.

**28. Explain why you are seeking this judicial position.**

I have always had an interest in serving on the Iowa Supreme Court, but I am also fortunate to work in a position that allows me to use my legal research, writing, and argument skills and to work with colleagues who share my passion for appellate work. I have found joy in providing quality public service to those who most need legal assistance.

With the recent loss of several Iowa Supreme Court Justices within the last two years, my long-standing interest in serving on the Court has been coupled with a belief that now is the appropriate time to present my qualifications to the Commission. In recent years, these Justices have led the way in making the Court more visible to the public, in educating the public about the role of the courts, in addressing disproportionate minority impact within the justice system, and in making the justice system accessible to all. I share these goals, and I no longer consider any potential appointment to the Court to be simply a matter of personal interest. The Court needs good attorneys – and good people – to step forward to help guide the Court and our justice system as a whole into the future that awaits. I look forward to serving the public by using my skills and experience to enhance the work of the Court.

**29. Explain how your appointment would enhance the court.**

The strongest candidates for the Iowa Supreme Court should exemplify the qualities of competence, integrity, thoughtfulness, respect, impartiality, decisiveness, and efficiency. My background and temperament demonstrate all of these qualities.

I have exceptionally strong legal research and writing skills, which have been honed since my days in college and law school. Although my legal experience has been primarily in criminal law, I am fully capable of finding the relevant applicable authority in any area of law. My experience as an appellate attorney means I can immediately begin applying the norms and rules of appellate practice to my work on the Court. My practical experience in criminal law and appellate procedure would add to breadth of Court's knowledge.

I have a strong grasp of the Rules of Professional Conduct and can immediately immerse myself in the ethics cases the Court considers. I make a point of conducting myself with integrity with clients, opposing counsel, and the courts.

I am efficient in handling my caseload, even while actively participating in various law-related activities. I was able to coordinate three-day legal education seminars for Iowa criminal defense attorneys in 2009 and 2018 while still effectively managing my caseload. Similarly, I took on my office's United States Supreme Court litigation as necessary without disrupting my other work. As a Supreme Court Justice, I would contribute to the thoughtful yet efficient disposition of cases.

I do not fear making decisions. I have served in various positions over the years that required me to take the lead on sometimes divisive issues. Whether it has been as President of the ACLU of Iowa Board of Directors, as Chair of the ISBA Criminal Law Section Council, or as President of my homeowner's association, I have had to make decisions based on the best information available and the best interests of the organization involved and then be able to defend the decisions made.

Of course, the work of the Iowa Supreme Court is not limited to issuing decisions. The Court is also responsible for enacting changes to the Iowa Court Rules. I have

significant experience in addressing and applying not only the Rules of Appellate Procedure, but the Rules of Criminal Procedure, the Rules of Evidence, and the Rules of Professional Conduct. I have served on several court committees tasked with considering revisions to our court rules. My interest in and experience with the Iowa Court Rules would provide a benefit to the Court.

Finally, I am fully comfortable with public speaking regarding matters of law and procedure. The Court has made a significant effort to educate the public about the role and work of the Court and our judicial system generally. I can contribute to the Court's efforts in this regard and look forward to doing so.

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

Becoming a Supreme Court justice is often a career goal for attorneys, but the decision to make that step should not be taken lightly. Being a justice is significantly different than being an attorney. There are limitations on the conduct of justices that do not apply to attorneys. Becoming a justice can mean limiting your social interactions with fellow attorneys, foregoing involvement in certain organizations, and carefully limiting any public statements. At the 2019 Supreme Court Banquet, Chief Justice Cady acknowledged the toll being a Supreme Court Justice took not only on his personal life but on the lives of his family members as well. The role of an Iowa Supreme Court Justice is a noble one and one that many may seek, but those who wish to become a Justice must be prepared to accept the constraints that come with doing so.

When I decided to apply for the opening on the Iowa Supreme Court, I made a point of reviewing the Code of Judicial Conduct. I paid particular attention to the rules relating to judicial candidates. I have made every effort to abide by those rules and I understand the constraints I would be under should I be selected to be an Iowa Supreme Court Justice. The restrictions are necessary to preserve the integrity and impartiality of our Court and I am fully prepared to abide by them.