

PERSONAL DATA QUESTIONNAIRE FOR LAWYER CANDIDATES

FOR JUDICIAL OFFICE IN LUZERNE COUNTY

All candidates for judicial office in Luzerne County are being asked to complete this questionnaire. The information that you provide will be used by the Pennsylvania Bar Association to enable it to inform the public of your qualifications for judicial office. The PBA will make this questionnaire public by posting it on this Web site: www.pavotesmart.com.

1. PERSONAL INFORMATION

- a. Full Name: Molly Hanlon Mirabito
- b. Have you ever been know by any other name? yes no
If so, please state other name: Mary Hanlon Mirabito
Mary Katherine Hanlon
- c. Firm Name: 1) Mirabito, Law Offices
2) Luzerne County District Attorney's Office
- d. Firm Address: 1) 792 West Market Street
Kingston, PA 18704
2) Luzerne County Courthouse
200 N. River Street, Wilkes-Barre PA 18711
- e. Date of Birth: August 6, 1962
- f. Law school where you obtained your law degree (Juris Doctor or equivalent):
University of Notre Dame School of Law
- g. Date you obtained your law degree: May, 1987
- h. Are you a citizen of the United States? yes no
- i. Have you ever had any military service? yes no
- If so, have you ever been rejected or released from any of the armed services for reasons other than honorable? N/A yes no
- If so, give all details. N/A
- _____
- _____

2. **PERSONAL BACKGROUND:**

a. Are you now or have you ever been an officer or director or otherwise engaged in the management of any business enterprise? yes no

i. If so, give details, including the name of the enterprise, nature of the business, the title of your position, the nature of your duties and the term of your services:

Sole proprietor of my own law office.

b. Have you ever held any level of judicial office? yes no

If so, give dates and details, whether elected or appointed and a description of the jurisdiction of each such court:

c. Have you ever held public office other than a judicial office? yes no

If so, give details:

3. **PROFESSIONAL BACKGROUND:**

a. <u>Firm Name</u>	Approximate <u>Start Date/End Date (mo/yr)</u>
i. <u>Borland and Borland</u>	<u>1987-1989</u>
ii. <u>Law Offices of Mary K. Hanlon</u>	<u>1990-1994</u>
iii. <u>Fendler & Associates</u>	<u>1994-2005</u>
iv. <u>Mirabito Law Offices</u>	<u>2005-present</u>

Also, I have been an Assistant DA from approximately 1989-1992 and 2006-present.

b. List all courts in which you have been admitted to practice and dates of admission.

Pennsylvania Supreme Court 1987-present
United States District Court, Middle District of PA 1987-present

4. **EDUCATIONAL BACKGROUND:**

a. List each college, university and law school you attended, including dates of attendance and degrees awarded:

<u>School Name</u>	<u>Start Date</u>	<u>Graduation/End Date</u>	<u>Degree/Certificate Awarded</u>
<u>King's College</u>	<u>1980</u>	<u>1984</u>	<u>B.A.</u>
<u>Notre Dame Law</u>	<u>1984</u>	<u>1987</u>	<u>J.D.</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. **TRAINING AND BACKGROUND:**

- a. Describe in the space below any judicial-related training that you have received, including internships, clerkships, arbitrations, mediations, CLE course study, etc.

Law Clerk to Senior Visiting Judges 1995-2000
Served on civil arbitrating panels through Luzerne County
Prothonotary

- b. State whether you are a special trial master in the Common Pleas Court of Luzerne County or a certified mediator for the U.S. District Court for the Middle District of Pennsylvania:

Special Trial Master	<u> </u> yes	<u> x </u> no
Certified Mediator	<u> </u> yes	<u> x </u> no

- c. Do you currently devote full time to the practice of law?
 x yes no

If not, how much time do you devote to the practice? -- (hours per week)

- c. What is the general nature of your practice and if it has changed during the years?

1) Private practice - general civil practice with primary
focus on domestic litigation.
2) Assistant District Attorney - prosecution of all types
of criminal matters from investigation through verdict.

- e. Describe your practice with particular areas of concentration, if any. _____

See above.

f. With respect to the last five years:

i. Did you appear in court regularly, occasionally or not at all?

Regularly

ii. The percentage of these appearances was the following:

Federal Court	<u>0</u>
State Courts of Record	<u>100%</u>
Other courts/administrative agencies or other forums	<u>0</u>

iii. The percentage of your litigations was the following:

Civil	<u>50%</u>
Criminal	<u>50%</u>

6. **LITIGATION:**

Whether you were sole counsel, chief counsel or associate counsel within the last five years, state the following:

a.	The number of civil jury trials you have tried to verdict.	<u>0</u>
b.	The number of civil bench trials you have tried to verdict.	<u>8</u>
c.	The number of mandatory arbitrations you have tried to verdict.	<u>0</u>
d.	The number of underinsured motorist cases you have tried in arbitration.	<u>0</u>
e.	The number of civil cases that you settled.	<u>0</u>
f.	The number of criminal jury trials you have tried to verdict.	<u>7</u>
g.	The number of criminal bench trials you have tried to verdict.	<u>0</u>
h.	The approximate number of hearings in which you have participated, either criminal or civil, before a district justice.	<u>500+</u>
i.	The number of administrative hearings that you have presented before any administrative judge or board.	<u>0</u>
j.	The number of cases you have presented to a U. S. Bankruptcy Judge.	<u>0</u>
k.	The number of cases you have presented to award before a Workers' Compensation Judge.	<u>0</u>
l.	The number of Orphan's Court proceedings resulting in litigation.	<u>400+</u>
m.	The number of juvenile proceedings in which you have participated.	<u>0</u>

7. **CORPORATE BACKGROUND:**

a. Do you have any business background or corporate experience?

_____ yes X no

b. If so, please explain. _____

c. Does your practice include business or corporate litigation?

_____ yes X no

8. **LICENSE:**

a. Has your license to practice law ever been suspended or revoked?

_____ yes X no

If so, please explain, including the date that your license was reinstated.

b. Has any other professional entity or body with licensing authority denied, suspended, or revoked your registration or license (i.e. real estate, insurance, investment, etc.)?

_____ yes X no

If so, please explain in detail. _____

- c. Have you ever been a party or otherwise involved in civil or criminal proceedings? If so, give the particulars. **Do not** list any proceeding in which you were merely a guardian ad litem or shareholder. Include all legal proceedings in which you were a conspirator, co-respondent/defendant, and/or in which you figured as a subject or appeared as a witness in any grand jury investigation.

In or around 2000, all firm members were named in the case of Crispell v. Pike, et al. Case was dismissed as to all defendants.

9. **CRIMINAL BACKGROUND:**

- a. Have you ever been arrested for a felony or misdemeanor (excluding motor vehicle violations)? yes no

If so, please explain in detail including the outcome of such proceeding.

- b. Are you now the subject of any complaint, investigation or proceeding that may have criminal ramifications or adversely affect your professional license?

yes no
If so, please explain in detail.

- c. Have you ever been the subject of any complaint or proceeding that alleged sexual harassment or any form of discrimination?

_____ yes X no

If so, please explain in detail. _____

- d. Have you ever been charged with DUI? _____ yes X no

If so, when did this happen and what was the outcome in detail?

10. **PROFESSIONAL AND COMMUNAL ACTIVITIES ASSOCIATIONS:**

- a. List all bar associations and professional societies of which you are or have been a member. Provide the titles and dates of any office(s) that you have held in such groups and list chairmanships of any committee or memberships on any committee that you believe to be of particular significance.

Family Law and District Magistrate Committees of the Wilkes-Barre Law and Library Association; VISION Homeless Shelter Board Member/Volunteer ~~1980-1988~~.
1990; United Way of Wyoming Valley Health Services Sub-Committee of PARD Circa 1991-1994; Family Service Association of Wyoming Valley Board Member 1994-1995; Bishop O'Reilly High School Mock Trial Team Coach 1993-2004; Forty Fort Borough Civil Service Commission 1996-2006; Forty Fort Ambulance Association Board Member 1997-2008.

- b. I have lectured or taught for the following law schools or bar/professional organizations:

I have been an approved C.L.E. presenter, lecturing in the areas of family law. In addition, I have presented courses to law enforcement officials through Luzerne County Community College.

c. I have lectured on or taught about the following subjects:

King's College adjunct 1990-1991 - Constitutional Law

Luzerne County Community College adjunct - Paralegal Studies Program

d. I have written for the following publications and the topics were as follows:

N/A

e. List any honors, prizes, awards or other forms of recognition that you have received other than those mentioned above.

Recognized by Legal Services of Northeastern Pennsylvania
for Pro Bono work.

11. **PERSONAL POSITION**

Please fully describe below or on a separate sheet the reasons why you consider yourself qualified to be a judge and how you would improve our current system of practice.

See attached.

The Judiciary must make itself both available and accountable to the public it serves. The first step must be to invite the public to view the decision making process itself, to insure that the process is both fair and impartial. This transparency is imperative to give the voters a clear understanding of the consequences judicial decision making has on the community as a whole.

The people must also have easy and unfettered access to all public records, allowing the members of the community served by the Judiciary to be satisfied that decisions are being made in a consistent and efficient manner, and that taxpayer resources are being used in a way that best promotes justice. Once accomplished, the public must hold the elected members of the Judiciary accountable through continuing dialogue between the members of the bench and the community they serve. Only then, will the public be confident that the individuals elected to preside are serving the public and not self interest.

I believe that technology will play an important role in this process. Through applications ranging from informative/interactive web sites to blogs, enhanced communication with the public, as outlined above, can be maintained.

Finally, I would support the development of a state mandated, independent Oversight Board. As envisioned, the Board would serve as an oversight agency to ensure that the mistakes of the past are not repeated.

I believe the depth and breadth of my experience, acquired over a 22 year career, make me uniquely qualified to serve as Judge of the Court of Common Pleas of Luzerne County. In my private law practice, I have represented individuals before all levels of the judiciary, from Magisterial District Court through appeals to the Superior Court of Pennsylvania. For more than two decades, I have been in courtrooms before both judges and juries as an advocate for clients in civil, domestic, and equity matters.

I also serve as an Assistant District Attorney in Luzerne County. This position requires me to work closely with law enforcement officials throughout the county, as I am responsible for prosecuting all types of criminal matters, including homicides, sexual assaults, child abuse, drug and other felony cases. I have been involved in the process from initial investigation through jury verdict, which mandates an in-depth knowledge of the criminal justice system. I also serve as a member of the District Attorney's Office Special Victims' Unit.

I also have a passion for the law. It can protect both society and the individual. You must have integrity, the legal experience and a love for what the law can do to be an effective judge. I have these qualifications.

THE APPLICANT MUST SIGN THE FOLLOWING AFFIRMATION

I swear or affirm that I have read and understand the preceding questions and that my answers are true and complete to the best of my knowledge, information and belief. I assume the responsibility of promptly informing the Pennsylvania Bar Association of any changes to the answers provided for the questions contained on this form.

SIGNATURE: Molly Hanlon Mirabito
PRINT NAME: Molly Hanlon Mirabito
DATE: 4-30-09