

**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](http://www.pavotesmart.com).

**1. PERSONAL INFORMATION**

- a. Full Name: Tina Polachek Gartley
- b. Have you ever been know by any other name?      yes      no  
If so, please state other name: Tina Marie Polachek
- c. Firm Name: Barbara J. Hart Justice Center, 800 James Avenue, Scranton, PA  
Koff, Mangan, Vullo, Gartley & Lach, P.C., 179 S. Wyoming Ave, Kingston, PA
- d. Firm Address: Private Practice; 179 South Wyoming Avenue Kingston, PA
- e. Date of Birth:     08-29-1966
- f. Law school where you obtained your law degree (Juris Doctor or equivalent):  
Syracuse University College of Law
- g. Date you obtained your law degree: May 1991
- 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?      yes      no  
If so, give all details. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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 \_\_\_X\_\_\_ 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:

---

---

---

---

---

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

If so, give details: \_\_\_\_\_

---

---

---

---

---

**3. PROFESSIONAL BACKGROUND:**

a.	<u>Firm Name</u>	<u>Start Date/End Date (mo/yr)</u>
i.	<u>Borland &amp; Borland</u>	<u>09/1991 – 09/1996</u>
ii.	<u>Luzerne County District Attorney's Office</u>	<u>09/1996 – 01/2002</u>
iii.	<u>Barbara J. Hart Justice Center</u>	<u>01/2000 - Present</u>
iv.	<u>Koff, Mangan, Vullo, Gartley &amp; Lach, P.C.</u>	<u>2007-Present</u>

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

Commonwealth of Pennsylvania 12/1991

Middle District of Pennsylvania 1993

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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>College Misericordia</u>	<u>08/1984</u>	<u>05/1988</u>	<u>BA</u>
<u>Syracuse University</u>	<u>08/1988</u>	<u>05/1991</u>	<u>JD</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.

Attended numerous CLE courses on issues relevant to writing judicial opinions.

---

---

---

---

- 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?

I practiced civil litigation and family law as young attorney with a small firm.  
In 1996 I became a full time assistant District Attorney in Luzerne County  
wherein I conducted dozens of jury trials, bench trials and hundreds of hearings  
on behalf of the Commonwealth. In 2002, I became the managing attorney of a  
pilot program that provided civil legal representations to survivors of sexual  
assault and violent crimes. This includes all aspects of civil representation. I also  
do pro bono work in family law and represent clients in Luzerne County in  
domestic matters. I am of counsel with Koff, Mangan, Vullo, Gartley and Lach,

P.C. in civil, corporate and business cases.

d. Describe your practice with particular areas of concentration, if any.

Provide civil legal representation including family law, protection from abuse, civil law, equity law, adoptions, custody, support, wills and estates, real estate. I am in the courtroom litigating daily.

f. With respect to the last five years:

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

Appear in Court regularly on a weekly basis.

ii. The percentage of these appearances was the following:

Federal Court	_____
State Courts of Record	<u>95%</u>
Other courts/administrative agencies or other forums	<u>5%</u>

iii. The percentage of your litigations was the following:

Civil	<u>100%</u>
Criminal	_____

**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.  | _____        |
| b. The number of civil bench trials you have tried to verdict.   | <u>50+</u>   |
| c. The number of mandatory arbitrations you have tried to verdict.   | _____        |
| d. The number of underinsured motorist cases you have tried in arbitration.  | _____        |
| e. The number of civil cases that you settled.   | <u>75+</u>   |
| f. The number of criminal jury trials you have tried to verdict.   | <u>25-35</u> |
| g. The number of criminal bench trials you have tried to verdict.  | <u>500+*</u> |
| h. The approximate number of hearings in which you have participated, either criminal or civil, before a district justice. | <u>75+</u>   |

- i. The number of administrative hearings that you have presented before any administrative judge or board. 4
- j. The number of cases you have presented to a U. S. Bankruptcy Judge. 10+
- k. The number of cases you have presented to award before a Workers' Compensation Judge. \_\_\_\_\_
- l. The number of Orphan's Court proceedings resulting in litigation. 50+
- m. The number of juvenile proceedings in which you have participated. \_\_\_\_\_

**7. CORPORATE BACKGROUND:**

- a. Do you have any business background or corporate experience?  
 yes       no
- b. If so, please explain. I have provided advice on corporate matters and handled bankruptcy cases.
- c. Does your practice include business or corporate litigation?  
 yes       no

**8. LICENSE:**

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

NO

9. **CRIMINAL BACKGROUND:**

- a. Have you ever been arrested for a felony or misdemeanor (excluding motor vehicle violations)?
- \_\_\_\_\_ yes                        X   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?

If so, please explain in detail. \_\_\_\_\_  yes  no

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

If so, please explain in detail. \_\_\_\_\_  yes  no

d. Have you ever been charged with DUI? \_\_\_\_\_  yes  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.

Luzerne County Bar Association; Lackawanna County Bar Association; Pennsylvania Bar Association; Luzerne County Domestic Violence Task Force; Lackawanna County Domestic Violence Task Force; Susquehanna County Domestic Violence Awareness Collaboration

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



organizations:

Adjunct Professor at Luzerne County Community College; Pennsylvania Bar Institute  
PBI; Luzerne County Bar Association; Lackawanna County Pro Bono Program; Luzerne  
County District Attorney's Office; Pennsylvania Coalition Against Domestic Violence;  
Pennsylvania Coalition Against Rape; Pennsylvania Victims Assistance Academy

I have lectured on or taught about the following subjects:

Criminal Law; Family Law; Civil Law; Confidentiality Issues; Bankruptcy Law;  
Wills & Estates

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

I have created numerous Power Points for my lectures and public speaking events  
covering criminal law, criminal procedure, family law, civil law

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

Northeast Pennsylvania Woman 2007



**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: Tina Polach Gair

PRINT NAME: Tina Polach Gair

DATE: 4-29-09

- Included in this number are the Protection From Abuse Contempt Hearings that were tried before a judge and a verdict was rendered.

I am a voice that must be heard. For 18 years I have worked tirelessly for the poor, victims and disenfranchised in courtrooms throughout Pennsylvania. As a former full time prosecutor in Luzerne County, I handled criminal prosecutions from the investigations through prosecution and the sexual predator hearing. I have handled dozens of jury trials and bench trials as well as divorce trials, custody trials, adoption hearings, support hearings, equity actions, Orphan's Court hearings and real estate matters. I do not require on the job training and my experience will allow me to handle any assignment in any court.

To be a judge, however, a person requires more than courtroom experience. Judges should also be elected based on their community service and civic mindedness. The character of a person is best determined by a review of all of these characteristics. I have lectured and instructed law enforcement, medical professionals, social workers, lawyers, senior groups and lay people on issues of criminal law, family law and civil issues. I am an instructor for the Pennsylvania Bar Institute and the Pennsylvania Victims Assistance Academy; a speaker for the Pennsylvania Coalition Against Rape and the Pennsylvania Coalition Against Domestic Violence; a recognized expert on State of Pennsylvania WVIA Public Television and WYOU Interactive news. I have been a speaker for the Luzerne County Bar Association, the Lackawanna County Pro Bono Program, the Luzerne County District Attorney's Office and the Barbara J. Hart Justice Center. I have been a member of the Luzerne County Domestic Violence Task Force, the Lackawanna County Domestic Violence Task Force and the Susquehanna County Domestic Violence Awareness Collaboration. I have been presenting Law Day programs to elementary students for the past eight years. Educating our community allows for a safer society for all of us.

I am also active in my community. I serve on various boards and organizations including the acting PTA president for the last four years of a school of over 900 students. As a church member, I have been the chairperson of the summer bazaar two times and continue to run the children's section yearly. I am a CCD teacher, a lector and a member of the Pastoral Committee. I am a board member for Plains Baseball and active in numerous sporting activities with my sons.

I am a voice that Luzerne County needs. My family is not political. Rather we are a working class family with working class values.

As a judge, I would insist that unless provided otherwise by statute, all proceedings must be open to the public and to the media. Additionally, I would require that a stenographic record be made of all proceedings, unless closed by statute, and that record would be made available for public inspection. I would attempt to work out a schedule to allow victims of serious crimes specific dates and times to appear in Court. There is no need for defendants and victims to be forced to wait in a confined area for hours on end. I will act expeditiously in opinions and rulings and be prepared for every proceeding. *Any*

potential conflict of interest would be reported immediately to all parties and I would encourage parties and attorneys to report any concerns to the President Judge and to the Board of Judicial Conduct. Openness and accountability are trademarks necessary to restore confidence in the judiciary and improve the overall running of the courtroom.