

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: Richard M. Hughes, III
- b. Have you ever been know by any other name? ___ yes X no
If so, please state other name: _____
- c. Firm Name: Richard M. Hughes, III Law Office
- d. Firm Address: 345 Pierce Street
Kingston, PA 18704
- e. Date of Birth: March 25, 1961
- f. Law school where you obtained your law degree (Juris Doctor or equivalent)
Washington and Lee University School of Law
- g. Date you obtained your law degree: May 25, 1986
- h. Are you a citizen of the United States? X yes ___ no
- i. Have you ever had any military service? ___ yes X 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 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 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:

Member, Ceramic Studios LLC. Ran a small ceramic business. Business is now closed. Member, D&E Realty LLC. Business owns the commercial building in which my Law office is located.

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 a public office other than a judicial office? yes no

If so, give details:

Assistant District Attorney for Luzerne County – 1988-1992

Assistant District Attorney for Luzerne County – 2008-present

3. **PROFESSIONAL BACKGROUND:**

- a. Firm Name: Start Date/End Date (mo/yr)
- i. Richard M. Hughes, III Esquire, 345 Pierce Street, Kingston, PA 18704
December 1, 1997 – Present.
- ii. Dudick, Decker, Shovlin & Hughes, P.C., 1043 Wyoming Avenue, Forty Fort, PA
18704; July, 1995 – November 30, 1997
- iii. Silvebalt & Townend, Attorneys-at-Law, Wilkes-Barre, PA
August, 1992 – July, 1995.
- iv. Hughes & Hughes, Attorneys-at-Law, Wilkes-Barre, PA,
December, 1987 – August, 1991.
- b. List all courts in which you have been admitted to practice and dates of
admission.

Supreme Court of Pennsylvania – December 12, 1986

United States District Court for the Middle District of Pennsylvania –
September 14, 1987

United States District Court for the Eastern District of Pennsylvania

United States Supreme Court

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 Date</u>	<u>Degree/Certificate Awarded</u>
Washington and Lee Law School		September 1983 – March 1986,	J.D.
Lafayette College	September 1979 – June 1983		B.A.

5. **TRAINING AND BACKGROUND:**

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

- Clerk, Honorable Joseph Musto March, 1993 – December, 1993
- Court Appointed Trial Master for Complex Jackson Township Zoning Case
- Court Appointed Master for numerous Domestic Relation Cases

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	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no
Certified Mediator	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no

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

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

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

Since being admitted to the Pennsylvania Bar, I have experienced a general practice of law. I have practiced in the areas of real estate, banking, estate planning, and general civil litigation. As a part-time staff attorney for Legal Services of Northeastern Pennsylvania, I was in charge of the Hazleton office, dealing with varied issues of indigent clients, including domestic relations (protection from abuse and custody), landlord/tenant, and unemployment compensation. I served as Assistant District Attorney from 1988-1992. I am presently again serving as a part-time Assistant District Attorney.

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

I concentrate my private practice in the areas of civil litigation, estate planning, municipal law, and real estate. As part-time Assistant District Attorney I handle a variety of misdemeanor and felony cases. I am currently Lead Counsel for two homicide cases.

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>2</u>
State Courts of Record	<u>97</u>
Other courts/administrative agencies or other forums	<u>1</u>

iii. The percentage of your litigations was the following:

Civil	<u>25</u>
Criminal	<u>75</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. 0
- b. The number of civil bench trials you have tried to verdict. 0
- c. The number of mandatory arbitrations you have tried to verdict. 0
- d. The number of underinsured motorist cases you have tried in arbitration. 0
- e. The number of civil cases that you settled. Approx. 20
- f. The number of criminal jury trials you have tried to verdict. 1
- g. The number of criminal bench trials you have tried to verdict. 0
- h. The approximate number of hearings in which you have participated, either criminal or civil, before a district justice. Approx. 200
- i. The number of administrative hearings that you have presented before any administrative judge or board. 0
- j. The number of cases you have presented to a U.S. Bankruptcy Judge. 1
- k. The number of cases you have presented to award before a Workers' Compensation Judge. 0
- l. The number of Orphan's Court proceedings resulting in litigation. 0
- m. The number of juvenile proceedings in which you have participated. 1

7. **CORPORATE BACKGROUND:**

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

X yes ___ no

b. If so, please explain.

I have worked with many new business and have set up many partnerships, LLC's and Corporations. I helped run a ceramic studio and am co-owner of a commercial building where my law office is located.

c. Does your practice include business or corporate litigation?

X yes ___ 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 proceedings in which you were merely a guardian ad litem or shareholder. Include all legal proceedings in which you were a co-respondent/defendant, and/or in which you figured as a subject or appeared as a witness in any grand jury investigation.

Yes, over seven years ago I was a Plaintiff in a Civil Action to recover outstanding Attorney's Fees.

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?

___ yes X no

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

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

yes no

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

- d. Have you ever been charged with DUI?

yes no

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

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.

Wilkes-Barre Law and Library Association – Chairman Fines and Forfeitures Committee

Wilkes-Barre Law and Library Association – Past Chairman Iolita Committee

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

Pennsylvania Bar Institute

National Business Institute

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

- Estate Administration
- Real Estate Title Issues
- Mortgage Foreclosure

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

PBI – Sheriff Sale

NBI – Estate Administration

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

Lafayette College – Outstanding Young Alumnus – 1994

Wyoming Seminary – Outstanding Young Alumnus – 1994

Forty Fort Meeting House – Honorary - 2008

11. **PERSONAL INFORMATION:**

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.

Judicial independence is essential to any democracy. A judge must decide cases fairly and impartially relying on the facts and the law without the influence of political, media, public or special interest pressures.

Justice Anthony M. Kennedy once said, "The law makes a promise: neutrality. If the promise gets broken, the law as we it ceases to exist."

So what are the qualities that a judge should possess?

Honesty, integrity, knowledge of the law, experience and temperament-
The ability to be decisive and firm in ones rulings yet remaining compassionate and judging with understanding. One must judge each case on its facts and merits, because each case will be different.

My 22 years in the practice of law have prepared me well for the position of judge. For the first 5 years of my career, I was able to achieve a dream, returning to Luzerne County to practice with my father. I joined a practice that he had established in 1947 after he returned from Europe in World War II. From my father I learned how to be an effective advocate for our clients-dogmatic when necessary, but more often a counselor of the law; a problem solver rather than a problem creator.

For several years I was the part-time staff attorney for the Hazleton office of Legal Services, a non-profit organization that provides legal counsel free for the poor. This position gave me wonderful opportunity to fight for people's rights in areas of the law in which few get to practice.

After the death of my father, I continued my private practice working at different times in the areas of real estate, civil litigation, corporate law, domestic and municipal law. For eight years I served as solicitor to the Sheriff's Office. There I provided counsel in all areas of civil process with a great emphasis on the law of mortgage foreclosure.

One of the positions in which I have been most proud to serve is in the office of the District Attorney. In 1988 the Hon. Corréale Stevens appointed me to his administration. From 1988 to 1993 I served 3 administrations. For me this opportunity has been among the most rewarding. Working hand in hand with law enforcement, I have tried over 30 trials to verdict. I have prosecuted 3 first degree murder cases, all with success. All 3 defendants are serving a life sentence without the right of parole.

Just this last year, the current district attorney Jacqueline Carroll asked me to return to the District Attorneys office to handle major cases. I am proud to be back in this office and currently am lead counsel for a horrific capital homicide case.

I am ready and well prepared to serve as judge. In this election I bring experience to the table. I will restore trust and integrity to the judicial system.

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: RLM/HCS

PRINT NAME: Ricard M. Hughes ^{ES}

DATE: 4/30/09