

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: Thomas Michael Marsilio

b. Have you ever been know by any other name? yes no

If so, please state other name: Tom Marsilio

c. Firm Name: Marsilio Law Offices

d. Firm Address: 15 Darling Street
Wilkes-Barre, PA 18702

e. Date of Birth: September 28, 1948

f. Law school where you obtained your law degree (Juris Doctor or equivalent):
Dickinson School of Law

g. Date you obtained your law degree: June 6, 1981

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 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:

Hazle Builders, Inc., Hazleton, PA; Secretary-Treasurer; Manager of Retail
Outlet; 1975-1978. Marley Realty Company, Drums, PA; President; General
Operation of Realty Business; 1975-1988;. Marsilio Law Offices, Hazleton &
Wilkes-Barre, PA, Owner, 1988-present.

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: Assistant District Attorney, Luzerne County, PA, 1988-
1992; Deputy Attorney General, Commonwealth of Pennsylvania, 1992-1993;
Crestwood School Board, Mountain Top, PA, 2000-2001

3. PROFESSIONAL BACKGROUND:

a.	<u>Firm Name</u>	<u>Start Date/End Date (mo/yr)</u>
i.	<u>Louis G. Feldman & Law Offices, Hazleton, PA</u>	<u>1981-1988</u>
ii.	<u>Marsilio Law Offices, Hazleton & Wilkes-Barre, PA</u>	<u>1988-present</u>
iii.	_____	_____
iv.	_____	_____

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

Supreme Court of Pennsylvania 1981, United States District Court for The Middle
District of Pennsylvania 1981, Third Circuit Federal Court of Appeals 1983,
United States Supreme Court 1995, and United States Court of Federal Claims
2007.

4. EDUCATIONAL BACKGROUND:

a. List each college, university and law attendance and degrees awarded:

<u>School Name</u>	<u>Start Date</u>	<u>Graduation/ End Date</u>	<u>Degree/Certificate Awarded</u>
<u>U.S. Naval Academy</u>	<u>1966</u>	<u>1970</u>	<u>Certificate B.S.</u>
<u>Dickinson School Of Law</u>	<u>1978</u>	<u>1981</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 County Judge, 1992. Trial Lawyers College, Dubois, WY, 2003.

- 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 _____ yes _____ no X formerly
Certified Mediator _____ yes X 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? 60 (hours per week)

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

My practice is concentrated in four (4) areas: a. Criminal Defense, b. Personal Injury, c. Worker's Compensation, d. Social Security Disability.

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

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	
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>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. | <u>2</u> |
| b. | The number of civil bench trials you have tried to verdict. | <u>1</u> |
| c. | The number of mandatory arbitrations you have tried to verdict. | <u>6</u> |
| d. | The number of underinsured motorist cases you have tried in arbitration. | <u>1</u> |
| e. | The number of civil cases that you settled. | <u>5</u> |
| f. | The number of criminal jury trials you have tried to verdict. | <u>10</u> |
| g. | The number of criminal bench trials you have tried to verdict. | <u>2</u> |
| h. | The approximate number of hearings in which you have participated, either criminal or civil, before a district justice. | <u>50</u> |
| i. | The number of administrative hearings that you have presented before any administrative judge or board. | <u>25</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>10</u> |
| l. | The number of Orphan's Court proceedings resulting in litigation. | <u>2</u> |
| m. | The number of juvenile proceedings in which you have participated. | <u>4</u> |

7. **CORPORATE BACKGROUND:**

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

yes no

b. If so, please explain. See answer to 2.a.

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.

Robert Mawson v. Thomas M. Marsilio, Esquire, 1999, Fee Dispute, Case Abandoned by Plaintiff; Charles Lucarelli v. Thomas M. Marsilio, Esquire, 2007, Fee Dispute, Defense Verdict before Board of Arbitration (in appeal.)

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.

- 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. _____

- 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.

Served on the Board of Directors of the Penn's Woods Girl scout Council & The Hazleton
Women's Aid Center; Member of the Board of Directors of Greater Hazleton Can-Do working
on the economic revitalization of my hometown, Hazleton; Former President of the Kiwanis &
Shrine Clubs; Member of the Knights of Columbus in Mountain Top & the Italian American
Veterans Post No. 1; Member of St. Jude's Church, where I am a lector and sing in the Folk
Group at Sunday Mass; Lifetime Member of American Legion Post 76.

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

Not applicable

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

Not applicable

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

PA Lawyer, Lawyer Civility, February 2004; American Trial Lawyers Association

Magazine, Lawyer Civility, 2004.

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

BV Rated Attorney by Martindale-Hubbel; Retired Lieutenant Colonel United States

Marine Corps Reserve, 1970-1994.

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.

I believe my extensive litigation experience involves every facet which a Trial Judge
would confront. I have extensive litigation experience in all criminal and civil areas. I am a firm
believer in civility as evidenced by articles which I have written and have been published

statewide and nationwide.

The image of our judiciary has been tarnished by the behavior of two (2) Judges in this County. It remains for the Judges who follow to restore the public perception of honor and integrity in our judiciary. To that end, I am the first Candidate for Judge of the Court of Common Pleas of Luzerne County to publically reject lawyer donations to my campaign. I have done this to send a message to the voters that I will avoid even the appearance of a conflict of interest. At the stage in my career, this is the strongest statement that I believe that I could make.

Recently, our Court *en banc* held a public meeting to elect the successor President Judge after the resignation of his predecessor. I firmly believe that more public meetings as such should be conducted as long as they comport with the requirements of the Sunshine Law.

As a retired United States Marine Lieutenant Colonel, I have spoken publically at scores of Memorial Day, Veterans Day, etc., functions in Luzerne County and beyond. As a Judge, I would continue to keep a high-profile (non-political) in our community as it relates to volunteer work for such organizations so that the public's confidence in our judiciary can be strengthened.

I pledge to continue my life of honesty and integrity as I make the transition to the bench of the Court of Common Pleas of Luzerne County.

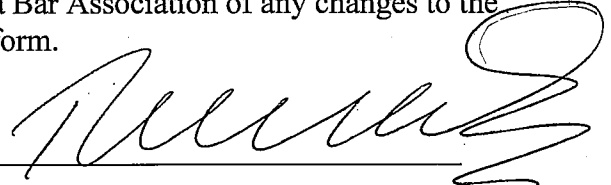
Further, the backlog of cases which has been created by a judicial shortage in this County must be affirmatively addressed. I pledge to work hard and overtime in order to resolve this impasse.

My 28 year military career attests to my honesty and integrity and shall certainly enhance my position as Judge.

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: _____



PRINT NAME: Thomas M. Marsilio, Esquire

DATE: _____

4/24/9