

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: Thomas A. O'Connor

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

If so, please state other name: _____

c. Firm Name: Law Office of Thomas A. O'Connor, PC

d. Firm Address: 398 Wyoming Avenue

Kingston, PA 18704

e. Date of Birth: December 29, 1951

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

Temple University

g. Date you obtained your law degree: May 1977

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:

I am the President and only officer of my law firm which is a professional corporation. I have held numerous positions as a director or officer in many non-profit organizations. I do not consider any of them to be a business enterprise.

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:

I have been the Deputy Clerk of the Orphan's Court having been appointed by the Register of Wills of Luzerne County and I have also been a Judicial Law Clerk, I am assuming that these are not levels of Judicial Offices.

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>Flanagan Doran Bisconttini Shaffer</u>	<u>08/1977-02/1981</u>
ii.	<u>O'Connor McCormick & MacDonald</u>	<u>02/1981-02/1991</u>
iii.	<u>O'Connor MacDonald & Maza</u>	<u>02/1991-02/1997</u>
iv.	<u>Law Office of Thomas A. O'Connor</u>	<u>02/1997-Present</u>

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

<u>Luzerne County Court of Common Pleas</u>	<u>May 1978</u>
<u>Supreme Court of Pennsylvania</u>	<u>April 1978</u>
<u>US District Court, Middle District of Pennsylvania</u>	<u>February 1992</u>
_____	_____
_____	_____
_____	_____

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>Kings College</u>	<u>09/1969</u>	<u>05/1973</u>	<u>B.A. History</u>
<u>Temple University</u>	<u>09/1974</u>	<u>05/1977</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 Judge Michael Conahan,

Luzerne County Court of Common Pleas

Jan 1993-Sept 1996

- 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 x no
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? (hours per week)

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

I have a general diversified practice that has changed over the years in that I persently do more corporate work especially as general corporate counsel for non-profit corporations. I also do more estate planning than estate administration. Being a sole practitioner you cannot devote as much energy as needed to all the various areas of the law. However, being general corporate counsel does expose you in overseeing legal matters in all areas of the law for the corporation.

- 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?

I appear in court on a regular basis which I would say averages a minimum of 25 appearances to a maximum of 50 appearances per year.

ii. The percentage of these appearances was the following:

Federal Court	<u>5</u>
State Courts of Record	<u>75</u>
Other courts/administrative agencies or other forums	<u>20</u>

iii. The percentage of your litigations was the following:

Civil	<u>95</u>
Criminal	<u>5</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>0</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>15</u>
f. The number of criminal jury trials you have tried to verdict.	<u>0</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>100</u>
i. The number of administrative hearings that you have presented before any administrative judge or board.	<u>5</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>5</u>
l. The number of Orphan's Court proceedings resulting in litigation.	<u>10</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?

 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 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?

_____ 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 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.

See attached Resume.

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

None

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

Business Law at Luzerne County Community College

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

I have written articles on Estate Planning for the local media. I
have also written articles for clients the Veterans of Vietnam War
and The Veterans Coalition on numerous topics concerning veterans
including Agent Orange.

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

See Resume.

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.

QUESTION #11 PERSONAL POSITION

This campaign is as much about people as it is about me. We are not only going to state to the people of this great county but also to other people who will be watching this election closely who we are and what type leaders do we select in these most difficult times.

When I look at my past, my father died when we were all at a young age; we all worked and worked very hard not only in school but in our outside activities in order to raise the necessary funds to educate ourselves. Not that my mother didn't help and not that we did not receive financial aid but still a large burden fell upon us to pay for our expenses. Because of that, I first started working as a newspaper boy and then moved up to a summer position as a stock boy in a local warehouse, dug ditches for our local water company, was a part-time employee on call at the post office and what that means is that when the mail got heavy they would give us a call and we would have to report to the post office in about one-hour's time. Again I had the opportunity to dig ditches putting in new sewer lines in Kingston and then subsequently became a lawyer. By no means were any of the O'Connor's born with silver spoons in our mouths. I am most proud that I have worked hard for everything that I have gotten. Our mother who never had an education above high school due to her own family circumstances made sure that she instilled in all of us to not only go to college but to go on to higher education and all of us have done this and have done it very well.

I have pondered many things over the past few years and especially over the past few months about a career as a judge. One thing that I think is of utmost importance is that you must gain the respect of people. What I have looked at and other people have also reminded me of my past experiences in the community whether it be for a charitable, fraternal, civic organization, or an educational institution I have not been afraid to assume leadership roles. I have gained the respect of many people in this community. There is an old TV commercial that said you don't get respect, you must earn it and I believe that I have. I think that is going to be very meaningful in this election because people want to be able to respect those individuals who will serve as their judges.

When I look at my professional life I am most proud of my service to our veterans. Although I was never called upon to serve in the military, after I had graduated from law school I was asked by a close friend whom I coached Bidy Basketball with at our local church if I would agree to help out a local veteran's organization. At that time it was a fledging

organization known as the Veterans of Vietnam War and now it is known as the Veterans of Vietnam War & The Veterans Coalition. In those early years, I was their legal counsel and did it on a voluntary basis attending many meetings on weekends and nights and also performing other legal tasks for them. One of the most important functions that I performed for that organization was that I was called upon to review in the Agent Orange Class Action Suit thousands of claims to make sure that they were not only properly filed but that those veterans who indeed suffered the most from Agent Orange in the Vietnam War received some sort of compensation above benefits provided by the government and have been very proud to pen my name to numerous briefs on behalf of the veterans including two United States Supreme Court Briefs.

Many people have asked why do you want to become judge at his time in your life but also in this county. I think that the answer is quite simple. I am not afraid of hard work and there is going to be plenty of hard work. At this time it would be so easy to walk away and to continue my career along other paths but when I have been asked and encouraged by so many people to run for this position I feel that it is my duty to serve my community once again and am willing and able to do so. I am proud to be a member of our local bar organization.

To answer the second part of your question as how to improve the current system of practice, it is my belief that the present legal system not only in our county but throughout our Commonwealth is not perfect. To effect change we must seek approval from those who make the laws not only those who interpret the laws. It is also my belief that one must have no outside business interests and that also their immediate family, that being their spouse and children also should not have outside business interests. I and my wife and children presently have no outside business interests nor do we plan to have any outside business interests. I believe having outside business interests opens the door for potential problems and conflicts in ones duty as a judge in Luzerne County. I also believe that judges cannot exist in an "ivory tower". They must be aware of the current economic times and do everything in their power to make sure that the operation of the courts is as streamlined as the rest of local government. I also believe that it is extremely important for judges to be available to the general public in either giving lectures or talks to numerous organizations including professional organizations about what the legal system is; how it operates; and the real effect it has on the local people in our county.

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: Thomas A. O'Connell
PRINT NAME: THOMAS A O'CONNELL
DATE: 4/29/09

Resume

THOMAS A. O'CONNOR, ESQUIRE
398 Wyoming Avenue
PO Box 1829
Kingston, PA 18704
(570) 714-1200

Education:

King's College, Wilkes-Barre, Pennsylvania
Bachelor of Arts in History- 1973
Temple University School of Law, Philadelphia, Pennsylvania
Juris Doctorate Degree- 1977

Personal Status:

One of ten living children of the late Patrick J. O'Connor, Esquire and
the late Helen A. O'Connor
Married to the former Roseann Naples
Three (3) children: Michael age 23, Katie age 21, Mary age 19

Professional Activities:

National Legal Advisor, Veterans of Vietnam War & The Veterans Coalition
Member of the Wilkes-Barre Law & Library Association
Member of the Pennsylvania Bar Association
Member of the Estate Planning Council of Northeastern Pennsylvania
Law Alumni of Temple University

Community Activities:

Past Board member Diocesan Council of Catholic men
Serra Club of Wilkes-Barre, Pennsylvania, Past President
Holy Name Society, St. Ignatius Church, Past President
Past Coach of St. Ignatius Bidy Basketball Team
Knights of Columbus Council 302, Home Association Solicitor
Knights of Columbus Council 302, Advocate
Friendly Sons of St. Patrick, Past President
Man of the Year, Friendly Sons of St. Patrick- 1995
Century Club of King's College, Past President
Past member Kingston Baseball for Boys

THOMAS A. O'CONNOR, ESQUIRE

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Community Activities continued:

Past Executive Board Member- American Heart Association
General Campaign Chairman- American Hear Association- 1981
Catholic Laymen's Retreat League of the Diocese of Scranton
Past Board Member- Friends of the Hoyt Library
Co-Chair of Hoyt Library Annual Fund Raising Campaign with wife, Roseann
Past President- Estate Planning Council of Northeastern Pennsylvania
Co-Chairperson, St. Ignatius Renovation Fund
Past Advisory Board Member, Regis Academy
Past Advisory Board Member, Bishop O'Reilly High School
Past Board Member Catholic Youth Center
Past Chair of Catholic Youth Center Annual Fund
Member of Forty Fort Lions
L. J. Ferdinand Men of Malvern Retreat Group
Notre Dame Club of Hanover Township
Associate Member Wyoming Valley Lodge No. 36 Fraternal Order of Police