

Jennifer M. Perkins

jenperkinsaz@gmail.com • 2327 N. 31st Place, Phoenix AZ 85008 • 602-228-7025

August 8, 2016

Commission on Appellate Court Appointments
c/o Human Resources Department
Administrative Office of the Courts
1501 W. Washington, Suite 221
Phoenix, AZ 85007

Re: Request to Designate Pending Application for Supreme Court Vacancies

Chairman Bales and Commission Members:

I write here to formally request that this Commission consider my already pending application for the two vacancies on the Arizona Supreme Court. Below I have provided supplemental answers for the questions that have been amended since the time I filed my application or that require clarification.

Question 4: When have you been a resident of Arizona?

I have been an Arizona resident **since 2004**, and thus meet the 10 year residency requirement for Supreme Court Justices.

Question 5: What is your county of residence and how long have you resided there?

Maricopa County, since 2004.

Question 38: Have you ever been a party to a lawsuit, including bankruptcy but excluding divorce? **No.**

Question 40: Have you ever been terminated, expelled, or suspended from employment or any school or course of learning on account of dishonesty, plagiarism, cheating, or any other "cause" that might reflect in any way on your integrity? **No.**

Question 41: (a) Have you ever been charged with, arrested for, or convicted of any felony, misdemeanor, or violation of the Uniform Code of Military Justice? **No.**

(b) Have you, within the last 5 years, been charged with or cited for any traffic-related violations, criminal or civil, that are not identified in response to question 41(a)? **No.**

Question 68: Why are you seeking this position?

The reasons underlying my original application, which are set forth in my prior answer to Question 68 (attached), apply equally here. My desire to pursue the Court of Appeals vacancy and my confidence that I am the right candidate for that position remain unchanged. Because I hold **rare qualifications** that line up with specific aspects

of the Supreme Court Justice position, I humbly submit that I am also an appropriate candidate to consider for that position.

First, the Arizona Constitution vests authority in the Supreme Court for final resolution of disciplinary proceedings against both judges and attorneys. The Court is also responsible for promulgating the procedural rules for these proceedings. The Court's role in maintaining the integrity of our legal system is crucial for ensuring the public's enduring confidence in that system.

As Disciplinary Counsel for the Commission on Judicial Conduct, I personally reviewed and helped resolve more than 1,700 ethical misconduct complaints filed against Arizona judges. I am thus very familiar with the concerns that Arizona citizens have regarding the integrity and independence of our judiciary.

For more than eighteen months now, I have served as ethics counsel to the largest law firm in the state. This entails providing advice to our attorneys on a broad range of ethical questions on a daily basis. It also involves managing the office's response to ethical complaints against our attorneys as well as the decision to raise ethical complaints against an outside attorney or law firm.

My ethics background and qualifications uniquely qualify me for a position as a Supreme Court Justice.

Second, my time working with Attorney General Opinions has given me uncommon insight into the areas of law in which there is a dearth of guidance from our state's highest court. Many litigators, particularly those with appellate experience, have some insight on this topic as well. But the impartial and quasi-judicial nature of AG Opinions renders my experience and insights in this regard exceptional. The Supreme Court accepts jurisdiction in discretionary cases when they present issues of first impression that are of statewide importance. My work with AG Opinions provides a valuable perspective in evaluating discretionary review cases.

The position of Arizona Supreme Court Justice is one of great honor and authority. I do not lightly submit this request. Rather, I suggest that I have something distinct and worthy to offer in serving my state. An excellent appellate judge is one committed to the proper role of the judiciary and to principles of liberty and justice. I have spent my career dedicated to these principles, and respectfully ask that this Commission afford me the opportunity to further serve this state on its appellate bench.

Thank you for your time and consideration of my application.

Sincerely,



Jennifer M. Perkins

Attachment

Question 68

(Originally Submitted Personal Statement)

The law is the organization of the natural right of lawful defense. It is the substitution of a common force for individual forces. And this common force is to do only what the individual forces have a natural and lawful right to do: to protect persons, liberties, and properties; to maintain the right of each, and to cause justice to reign over us all.

* * *

No society can exist unless the laws are respected to a certain degree. The safest way to make laws respected is to make them respectable. When law and morality contradict each other, the citizen has the cruel alternative of either losing his moral sense or losing his respect for the law. These two evils are of equal consequence, and it would be difficult for a person to choose between them. The nature of law is to maintain justice. This is so much the case that, in the minds of the people, law and justice are one and the same thing.

--The Law, Frederic Bastiat

My father is an attorney and also served in the New Mexico State Legislature for a term. My grandfather was a municipal judge in Los Alamos, New Mexico. It is thus not terribly surprising that I have been interested in justice and law for as long as I can remember. Indeed, on occasion growing up I managed to convince my family to hold court so my brother and I could sort out our differences.

From the lighter side—such as periodic participation in the online Fantasy Supreme Court League (<https://fantasyuscotus.lexpredict.com/>)—to the more serious work I have done with and through the Federalist Society, I've always been fascinated with and driven by a passion for doing justice and pursuing law. Mr. Bastiat's profound work in The Law presents arguments at the core of my passion: finding that place where the law and justice are one, where the people can properly respect the law and its exercise.

My work in public interest law made this passion more three-dimensional, introducing me to the individuals and communities that are impacted when the law diverges from justice and seeks harmful or immoral ends. When I transitioned to the Commission on Judicial Conduct, I was blessed to encounter so many honorable men and women with noble motives who populate Arizona's bench. I saw those judges who acted contrary to the ethics rules, of course, but I encountered so many more who adhere to ethical principles even in the face of difficult situations.

When Attorney General Brnovich invited me to join his administration in part for the purpose of working with Attorney General Opinions, I jumped at the chance to have this unique role in the law. My work here led me to submit this application as I believe I am both qualified for and would enjoy the position. Appellate judging is not simple work, but it is clearly rewarding. I have a contribution to make, and I ask for the Commission's support in allowing me to do so.