

PERSONAL DATA QUESTIONNAIRE

1. State your full name:

Kathryn Boockvar

Have you ever been known by any other name? If so, please list.

Kathy Boockvar

2. Office address (include zip code):

73 Old Dublin Pike
Suite 10 #134
Doylestown, PA 18901

Office telephone (include area code):

(215) 345-1267

Name of law firm, if associated:

Boockvar Law Office

3. Date and place of birth:

October 23, 1968
Staten Island, N.Y.

4. Are you a naturalized citizen? If so, give date and place of naturalization:

No.

5. Family status:

a) Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable:

Yes. September 24, 1994; Jordan Berson Yeager

b) Have you been divorced? If so, state the date, the number of the case and the court:

No.

6. Have you had any military service? No.

If so,

- a) Give dates, branch of service, rank of rate, and present status:

Not applicable

- b) Have you ever been rejected or released from any of the armed services for reasons other than honorable? If so, give details:

No.

7. List each college and law school you attended, including dates of attendance, and the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. List scholastic honors:

University Of Pennsylvania, 1986-1990, Bachelor of Arts Degree
American University, Washington College Of Law, 1990-1993, Juris Doctor Degree

8. List all jurisdictions in which you have applied to take a bar examination, have applied for admission or have been admitted to practice. Include dates of admissions and if not admitted, give application dates and explain the outcome.

Supreme Court of Pennsylvania (Jan. 1994)
New York State Court of Appeals (Nov. 1994)
District of Columbia Court of Appeals (Mar. 1995) (inactive)
United States Supreme Court (1997)
United States Court of Appeals for the Third Circuit (2006)
United States District Court, Eastern District of Pennsylvania (1998)
United States District Court, Middle District of Pennsylvania (2000)

9. Describe chronologically your law practice and experience after your graduation from law school, including:

- a) Whether you served as clerk to a judge and, if so, the name of the judge, the court, and the dates of the period you were a clerk: N/A

- b) Whether you practiced alone and, if so, the addresses and the dates:

Law Office of Kathryn Boockvar: 1997
539 Center Street, Bethlehem, PA 18018

Boockvar Law Office: 2008 to present
(but also employed by Advancement Project 2009- 2010)
73 Old Dublin Pike, Ste. 10 #134, Doylestown, PA 18901

- c) The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected and the nature of your connection with each:

ADVANCEMENT PROJECT, Senior Attorney, March 2008-December 2010
73 Old Dublin Pike Suite 10 #134
Doylestown, PA 18901

Washington, D.C. office:
1220 L Street, NW, Suite 850
Washington DC, 20005

BOOCKVAR & YEAGER, Managing Partner, 1997-2008
8 West Oakland Avenue
Doylestown, PA 18901

714 Main Street
Bethlehem, PA 18018

LEHIGH VALLEY LEGAL SERVICES, INC., Staff Attorney, 1995-97
65 East Elizabeth Avenue, Suite 800
Bethlehem, PA 18018

NORTHERN PENNSYLVANIA LEGAL SERVICES, INC., Staff Attorney, 1994-95
Wyoming County Human Services Building
P.O. Box 703
Tunkhannock, PA 18657

LEGAL ACTION CENTER, National Policy Associate, 1993-94
236 Massachusetts Ave. NE, Suite 505
Washington, D.C. 20002

- d) Any other relevant particulars:

10. With respect to your practice:

- a) What has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

From March 2008 to the present, I have engaged primarily in non-partisan election-related work. This has included statewide and national advocacy and collaboration with election officials, administrative agencies, organizations, coalitions, and legislators to eliminate barriers to voting and to increase access to electoral participation, on a wide range of voting and election issues. I have performed this work primarily outside the courtroom, focusing on administrative advocacy, training and education, public record requests and analysis, coalition-building, and legal analysis.

From 1997 to 2008, I maintained a law practice in Eastern Pennsylvania, focusing primarily on Employment, Unemployment Compensation, Insurance, Pensions, Estate Planning, Social Security Disability, and Civil Rights. This practice included litigation before the U.S. Court of Appeals and U.S. District Courts, Commonwealth Court, and administrative agencies.

From 1994 to 1997, I represented low-income clients in the Lehigh Valley and Northeastern Pennsylvania in Unemployment Compensation, Social Security Disability, Family Law, Protection from Abuse, Housing, Elder Law, Bankruptcy, and Juvenile Dependency matters. This included litigation in state trial and appellate courts and administrative agencies.

From 1993 to 1994, I conducted health policy research, writing, and advocacy, with a focus on the improvement and integration of HIV, TB, and Substance Abuse services.

- b) Describe your typical clients and mention the areas, if any, in which you have concentrated your practice:

Since March 2008, I have worked in conjunction with other organizations, coalitions, election officials, and legislators, to eliminate barriers to voting and election administration, outside the litigation context.

In my private practice from 1997-2008, my typical clients were individuals, as well as some small businesses. The areas I practiced are summarized above.

In my legal services positions from 1994-97, my usual clients were low-income and elderly clients in the Lehigh Valley and Northeastern Pennsylvania, in the areas of law summarized above.

At Legal Action Center from 1993-94, I worked on health policy and best practices, in conjunction with disability advocates and treatment facilities.

11. With respect to the last five years:

- a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof:

I appeared in court regularly during 2006 through 2008. In 2009 and 2010, my practice was concentrated outside the courtroom.

- b) What percentage of these appearances was in:

1. Federal courts: Not including administrative agency appearances, in the last five years, 100% of my litigation was in Federal Court.

2. State courts of record:

3. Other courts: Administrative agencies-- Between 2006-2008, approximately 20% of my practice was before Social Security Disability Administrative Law Judges, Unemployment Compensation Referees, and Equal Employment Opportunity Commission and/or Pennsylvania Human Relations Commission Administrative agencies.

- c) What percentage of your litigation was:

1. Civil: 100%

2. Criminal:

- d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel:

In the last five years, I tried one case to verdict in Court, in the United States District Court, Eastern District of Pennsylvania. (I also tried many cases to judgment before Administrative Law Judges and Referees).

- e) What percentage of these trials were:

1. Jury: 100 %

2. Non-jury:

12. Summarize your experience in court prior to the last five years, indicating as to that period:

- a) Whether your appearances in court were more or less frequent:

My appearances in court were more frequent prior to the last five years.

- b) Any significant changes in the percentages stated in your answers to question 11(b), (c) and (e):

From 1994-97, I frequently appeared in County courts, primarily in Wyoming, Susquehanna, Lehigh, and Northampton counties, all non-jury civil matters. During this period I also brought appeals in Commonwealth and Superior Courts.

From 1997-2005, I appeared regularly in Federal court and administrative agencies, and infrequently in County court.

- c) Any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel or associate counsel.

Most of my litigation has settled. I estimate that I tried approximately fifteen cases to judgment in County courts between 1994-2005, all non-jury civil cases.

13. Describe five of the most significant litigated matters which you personally handled and give the citations thereto, if the cases were reported. Give a capsule summary of the substance of each case and a succinct statement of what you believe to be the particular significance of the case. Identify the party or parties whom you represented and describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case a) the dates of the trial periods; b) the name of the court and the judge before whom the case was tried; and c) the individual name, address and telephone numbers of co-counsel for each of the other parties;

1) *Hare v. Potter*, 220 Fed. Appx. 120; 2007 U.S. App. LEXIS 6731 (3d Cir. 2007). I represented Plaintiff/Appellant Jamie Hare during all stages of this litigation, from EEOC/PHRC proceedings in 2000, through post-trial proceedings in 2008. This citation is for the Third Circuit decision, which reversed and remanded the District Court's grant of Summary Judgment, and permitted the majority of Hare's hostile work environment and retaliation claims to go to trial.

This case was significant both professionally and substantively. I handled a wide range of issues in this one case, representing Ms. Hare over a period of eight years, through administrative proceedings, discovery, summary judgment, Third Circuit appeal, trial, and post-trial motions, with several supplemental proceedings along the way. Furthermore, the legal standards governing gender discrimination and retaliation were changing as the case proceeded, and critical precedential decisions were issued not long before the deadline for our primary Third Circuit brief (*Jensen v. Potter*, 435 F.3d 444 (3d Cir. 2006)), and another critical decision was issued during the time frame between my primary brief and my reply brief (*Burlington Northern & Santa Fe Railway Co. v. White*, 548 U.S. 53 (2006)).

Trial proceeded in the U.S. District Court, Eastern District of Pennsylvania, before United States Magistrate Judge Timothy Rice. Trial lasted for about a week, during

September 2007. The jury entered a verdict for the Plaintiff, but without compensatory damages. Several post-trial motions and briefs were filed to address issues of equitable relief, back pay, and attorney fees, and ultimately, settlement was reached.

My co-counsel for trial was Anne P. Felker, 539 Center Street, Bethlehem, PA 18018; (610) 861-7737. The opposing counsel was K.T Newton, Assistant United States Attorney, 615 Chestnut St., Ste. 1250, Philadelphia, PA 19106-4476; (215) 861-8200.

2) *In re: Robert Barrett, An Alleged Incapacitated Person*, No. 127-98 (Lackawanna Cnty Comm. Pleas Orphans Ct. Div. 1998)

I represented the adult children of Robert Barrett in several cases between 1997-2003. All the cases stemmed from a terrible incident—Robert had suffered a cardiac arrest in 1996, and had been in a persistent vegetative state for about two years. Robert had no ability to receive or evaluate information, no ability to communicate, and no awareness or control of any of his faculties. Yet, Robert's brother, who was Robert's attorney-in-fact, was maintaining Robert's body on life support. The children, who were firm in their conviction that their father would never have wanted to be maintained in this condition, had tried to talk to their uncle to convince him to let Robert rest in peace, but he refused.

Robert's daughter hired me to seek authorization to discontinue his life support and allow him to pass. The case presented complicated issues, because of the power of attorney, and because Robert had not executed a Living Will or Advanced Directive. Among other things, this case convinced me that these documents are an essential part of estate planning, and also that the simple Living Will that was traditionally used at the time did not have language sufficient to protect people in many situations. Later, the Terri Schiavo case further emphasized this point.

We filed a Petition for Appointment of Permanent Plenary Guardian and To Authorize the Discontinuance of Life-Sustaining Measures, and after several months of medical evaluations and discussions, the parties settled and agreed to discontinue the life sustaining measures. Robert passed away several days later.

The Judge assigned was the Honorable James J. Walsh, President Judge. Opposing counsel was Brigid E. Carey, 429 South Main Street, Suite 6, Old Forge, PA 18518-1684, Phone: (570) 341-2220. Court-appointed counsel for Robert was Gregory Germain, 639 Jefferson Ave Scranton, PA 18510, (717) 341-1910.

3) *Wertz v. Post & Schell, P.C.*, Civil Action No. 01-CV-1119 (E.D. Pa. 2001). I represented the plaintiff in her FMLA case. The defendant had terminated the plaintiff, claiming that she took leave beyond that which she was entitled to under the FMLA. The defendant, however, had sent confusing and conflicting communications to the plaintiff, and the plaintiff relied on the defendant's assurances to determine what date she would return. The defendant's Motion to Dismiss argued that the Department of Labor regulations – which required an employer to notify the employee when the FMLA

clock has started to run -- were invalid. This case thus involved research into the - authority to promulgate implementing regulations, and the scope of such administrative authority. The case settled before the Motion to Dismiss was decided.

The Judge assigned was the Honorable Charles R. Weiner. Opposing counsel was Michael P. O'Connor, Two Penn Center Plaza, Suite 1100, 15th Street, J.F.K. Boulevard, Philadelphia, PA 19102, Phone: (215) 564-0400.

4) *Gundling v. Graviano*, 1995 Pa. Super. LEXIS 4274 (Pa. Super. 1995). This was an appeal I brought in Superior Court very early in my career, and it helped me learn early on the importance of presenting an effective and succinct argument. The case involved a Petition for Special Relief by a father seeking primary physical custody of his oldest daughter. Though the petition, evidence, and requested relief focused only on this eldest daughter, the Common Pleas Court Judge awarded custody of *all four* children to the father. At oral argument, I had to convince the panel that this was a due process violation appeal much more than it was a custody appeal, because the mother was not given adequate notice and an opportunity to be heard.

The Superior Court panel included Judges Popovich, Johnson and Hoffman. They agreed with me, and reversed and remanded the trial court decision for a full evidentiary hearing.

Counsel for the father was Francis X. O'Connor, 300 Main Street, Great Bend, PA 18821-0591; Phone: (570) 879-2534

5) *Social Security Disability claims*

Though not litigated in Court, I have represented many applicants for Social Security Disability benefits who have had severe disabilities, yet had been denied in their initial administrative claims. I include one of these here as an example, because these were some of the most rewarding and important cases to me, with clear merit and need by the clients, and positive outcomes reached as a result of effective legal and factual development and presentation.

For example, I represented one client with rare skeletal disorders called Goldenhar and Klippel-Feil Syndromes. Though the client had functioned very well for years, he began to develop neurological complications due to associated spinal cord injury, causing severe pain. The pain was also accompanied by debilitating depression, anxiety, and insomnia, as a result of his condition.

The client's application for Disability benefits had been denied, as many cases are when the facts and circumstances fall outside certain typical parameters. By thorough development of the facts, and application of the law, I was able to present a clearer picture of the client and his disabling condition, and the Administrative Law Judge

reversed the denial of benefits. Additionally, because the Judge understood my client was in significant pain, and because he had before him all the evidence he needed to decide the case, he was able to decide the case on the record, sparing my client the difficulty of having to attend a hearing.

The Administrative Law Judge assigned to this case was Gerald Spitz, Office of Hearings and Appeals, 8380 Old York Road, Suite 250, Elkins Park, PA 19027.

14. If a substantial period of your practice has been before administrative boards, commissions or agencies during the past five years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto:

Between 2008-2010, I have advocated to and collaborated with Pennsylvania Department of State (DOS) officials frequently, on a variety of voting and election issues. One of these long-term projects has been to improve compliance with the National Voter Registration Act (NVRA) and related Pennsylvania law and regulations. Toward this end, in conjunction with several other organizations, I have met with and provided best practices materials and guidance to the DOS, Department of Public Welfare (DPW), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and Department of Aging. I also have worked on a multitude of election issues with several county Boards of Election, as well as state and county Parole and Probation officials. About 60% of my practice has been concentrated in these areas between 2008-2010.

Between 2006-2008, approximately 20% of my practice was before Social Security Disability Administrative Law Judges, Unemployment Compensation Referees, and Equal Employment Opportunity Commission and/or Pennsylvania Human Relations Commission Administrative agencies.

15. If a substantial portion of your practice has been before Appellate courts during the past five years, identify the Appellate Courts before which you have practiced and estimate percentages of practice time devoted thereto:

During the past five years, I successfully appealed one case in the Third Circuit Court of Appeals. I estimate that I dedicated approximately 15% of my time to this appeal in 2006.

16. a) Have you ever held judicial office? If so, give dates and details, including the courts involved, whether elected or appointed, periods of services, and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court:

No.

b) Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving details:

I was a Committeeperson for Doylestown Township 2, elected in 2006 and 2010; resigned in December 2010.

17. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates:

Yes, I ran unsuccessfully for Bucks County Register of Wills in 2007.

18. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? If so, give details, including dates:

No, though I have also practiced mediation in my law practice.

19. Are you now an officer or director or otherwise engaged in the management of any business enterprise?

a) If so, give details, including the name of your enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

I am the owner and sole practitioner of Boockvar Law Office, which is my law office.

b) Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are elected and confirmed? If not, give reasons:

Yes.

20. Have you ever been arrested, charged with or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance? If so, give details. Do not include summary traffic offenses:

No.

21. Are you under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute? If so, give particulars:

No.

22. Has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? If so, give particulars:

No.

23. Have you ever been sued by a client? If so, give particulars:

No.

24. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness:

As a named partner in a law firm, I was included as a Defendant in a wrongful use of process lawsuit brought by a former Defendant in a case I had not been involved in at all. When the Plaintiff learned I had absolutely nothing to do with the case, he withdrew all claims against me without any payment from me. (See attached letter)

25. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the particulars:

No.

26. What is the present state of your health? (If any medical condition or issue exists, you may be requested to execute a medical record authorization form as part of the interview process.)

Excellent.

27. Do any circumstances exist that would affect your ability to perform the function of the position you seek or fulfill the term of office? If so, please explain.

No.

28. Furnish at least five examples of legal articles, law review articles, briefs, or other legal writings which reflect your personal work. If briefs are submitted, indicate the degree to which they represent your personal work:

Six writing samples are provided. All samples are 95-100% my personal work, including the samples written on behalf of a coalition of organizations.

29. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. List chairmanships of any committees in bar associations and professional societies and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, disciplinary committee, grievance committee).

Pennsylvania Bar Association, Member 1994 - present
Bucks County Bar Association, Member 2008 - present

30. List your experiences in teaching and lecturing, including law school, continuing legal education and to non-legal audiences.

Democracy and Election Administration Webinar, December 21, 2010. Gave presentation on and guidance for voting-related improvements that can be taken by government officials, using Pennsylvania models, for webinar panel hosted by the Center for State Innovation.

Building A Voter Friendly Election System, Harrisburg, December 2, 2010. Co-presented workshop for the annual election symposium held by the Pennsylvania Voter Coalition and the Department of State.

Voting Rights and Procedures for People in the Criminal Justice System, Philadelphia, February and April 2010. Co-presented training and provided materials to Philadelphia Probation and Parole officials and agents, regarding voting rights and procedures for people on probation and parole.

Voter Registration Problems and Possible Solutions, Harrisburg, December 4, 2009. Co-presented workshop for the annual election symposium held by the Pennsylvania Voter Coalition and the Department of State.

Creating a Legislative Agenda for Reform of Pennsylvania's Election System, Harrisburg, April 4, 2009. Panelist at the Pennsylvania Statewide Independent Living conference, "Power through Knowledge."

Poll Worker Training, Pennsylvania, October 2008. Trained poll worker volunteers who signed up through Credo's Poll Workers for America, on Pennsylvania's election rules and procedures.

Pennsylvania Voting Rights and Procedures, 2008-2010. Have given many non-partisan presentations and trainings on voting rights and procedures to individuals, communities, organizations, and non-partisan Election Day monitors.

Why Everyone Should Have a Living Will/Advanced Directive, Doylestown, 2005.

Interviewed for a television program following Terri Schiavo's death, about the protections provided by Living Wills/Advanced Directives.

The Procreative Rights of Women with HIV/AIDS, Fall 1993. Gave presentation and discussion at American University's School of Criminal Justice.

31. List all organizations other than bar associations, professional associations or societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations:

A Woman's Place, Board of Directors Member, 2009 - present

Pennsylvania Voice, Advisory Board Member, 2009 - present; Member 2008 - present

Pennsylvania Voter Coalition Member, 2008 - present

University of Pennsylvania Alumni Secondary School Selection Committee, 2008 - present

University of Pennsylvania Alumni Club of Bucks County, Treasurer, 2006 - present

National Employment Lawyers Association, Firm Member 1998 - 2008

Bucks County Board of Elections Poll Worker, Doylestown, PA, 2005 - 2006

32. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

Named Pennsylvania Rising Star-Super Lawyer in 2005, 2006, and 2007.

Beyond Survival- The Procreative Rights of Women with HIV, 14 B.C. THIRD WORLD L.J. 1 (Winter 1994). Wrote and published article which is contained in the select bibliography prepared by the Secretary-General of the United Nations, concerning Implementation of the International Covenant on Economic, Social and Cultural Rights (2000).

AMERICAN UNIVERSITY JOURNAL OF GENDER AND THE LAW, 1991-93: Founding member; Editorial Board and Managing Committee member. Established Journal, created policies and structure, edited articles, trained and supervised editing staff, solicited authors, and fund-raised.

33. State any other information which may reflect positively or adversely on you or which you believe should be disclosed in connection with consideration of you for an election to an Appellate Court of Pennsylvania.

I serve as an arbitrator in the Bucks County Court of Common Pleas, when scheduled by the Bucks County Court Administration.

I received mediation training in 1996, and have utilized those skills throughout my career to encourage clients, and others with whom I've worked, to consider mediation as a potentially effective alternative means to resolve their disputes.

34. Why do you wish to become a Justice or Judge? What special strengths do you feel you possess that would particularly well qualify you for the position of Justice or Judge?

I wish to become a Judge because I believe that I have the analytic ability, the breadth of experience, the temperament, the commitment to fairness, the compassion, and the integrity that is needed on the bench. I have dedicated my professional and my private life to the pursuit of justice-- in the courts, in administrative agencies, in the empowerment of individuals, organizations, and coalitions. I have learned through my varied experiences that I not only have the legal ability and judgment to be an effective Judge, but also I have the patience, attentiveness, and even-temperedness to assure those before the Court that they are being listened to, and are being treated with respect and with impartiality.

35. Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.)

Yes.

CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Kathryn Boockvar

Type or print name

Kathryn Boockvar

Signature

December 24, 2010

Date