

# APPLICATION FOR UNITED STATES MAGISTRATE JUDGE

Provide one original and 29 copies by 4:30 p.m., Tuesday, February 8, 2011

Please answer all questions. If a question is not applicable, indicate this by marking "N/A." Return completed form to the Clerk of Court (Attn: Human Resources Department, Carl B. Stokes U.S. Court House, 801 W. Superior Avenue, Cleveland, OH 44113)

## GENERAL

1. Full name: Kelly A. Echols
2. All other names by which you have been known: Kelly A. Swetel
3. Office address: 47 N. Park Place  
City Painesville State Ohio Zip 44077  
Telephone (440) 639-8350
4. Residential address: 174 Carroll Ave.  
City Painesville State Ohio Zip 44077  
Telephone (440) 639-8350
5. Place of birth: Euclid, Ohio  
Date of birth: October 8, 1978
6. Length of residence in state: 32 years
7. If you are a naturalized citizen, state the date and place of naturalization.  
N/A
8. Military service:  
Branch \_\_\_\_\_ Dates \_\_\_\_\_  
Rank or Rate at Discharge \_\_\_\_\_ Type of Discharge \_\_\_\_\_  
If still a reserve or national guard member, give service, branch, unit, and present rank.  
N/A
9. Are you related by blood or marriage to any judges of this court?  Yes  No. If yes, give name(s) and relationship.

## HEALTH

10. What is the present state of your health?  
My health is very good.
11. a. Have you in the last ten years (i) been hospitalized due to injury or serious mental or physical illness or alcohol addiction, or (ii) been prevented from working or otherwise incapacitated for a period in excess of ten days due to injury or illness, drug or alcohol addiction? If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the conditions which caused the confinement or incapacitation.  
No.

b. Do you have any visual or hearing impairment or other mental or physical impairment that would affect your ability to perform the duties of a magistrate judge? If so, please describe the impairment and how your impairment could be accommodated to allow you to perform the duties of a magistrate judge.

No.

## EDUCATION

12. Colleges and universities attended, dates, and degrees:

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio  
J.D. Magna Cum Laude, 2003  
Cleveland State University, Cleveland, Ohio  
B.A. Summa Cum Laude in Political Science, 2000

13. Continuing legal education courses completed within the last 10 years:

Please see attached list.

## HONORS

14. Were you a member of law review?  Yes  No. If yes, describe role:

I was invited to join Law Review, but unfortunately was unable to accept the invitation.

15. If you have published any legal books or articles, list them, giving citations and dates.

16. List any honors, prizes, or awards you have received.

Cleveland-Marshall College of Law - Full Dean's Scholarship, Dean's List Fall 2001, Spring 2002, Fall 2002  
Judge Lee E. Skeel Memorial Award - Property  
CALI Excellence for the Future Award - Property and Psychiatry and the Law  
Cleveland State University - Presidential Scholarship, Dean's List every term

## PROFESSIONAL ADMISSIONS

17. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case:

**Court or Administrative Body**

**Date of Admission**

Admitted to the Ohio Bar

November 10, 2003

**LAW PRACTICE**

18. State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all government agencies, and all private business organizations in which you have been employed. Also provide all dates during which you have practiced as a sole practitioner.

Organization	Address	Position	Dates
Lake County Common Pleas Court - Judge Lucci	47 N. Park Place, Painesville, Ohio 44077	Judicial Staff Attorney/ Office Administrator	December 2003 to Present
Legal Aid Society	8 N. State St., Suite 300, Painesville, Ohio 44077	Law Clerk	June 2002 to December 2003

19. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice.

I am currently a judicial staff attorney and office administrator for Judge Eugene A. Lucci in the Lake County Common Pleas Court. As such, I perform legal research and writing. I also conduct pre-trial hearings including resolving discovery and procedural issues, mediating cases, and imposing case management schedules. My responsibilities also include managing civil, criminal, and foreclosure case dockets and motions, including prioritizing cases and/or issues and ensuring the timely disposition of cases. I am also responsible for the supervision of court staff.

20. a) Do you appear regularly in court?  Yes  No.

b) What percentage of your appearances in the last five years were in:

1. Federal courts	<u>N/A</u>	%
2. State or local courts of record	<u>N/A</u>	%
3. Administrative bodies	<u>N/A</u>	%
4. Other:		%
_____	_____	%
_____	_____	%
_____	_____	%
_____	_____	%

21. During the past five years, what percentage of your practice has been trial practice? N/A %
22. How frequently have you appeared in court? N/A times per month.
23. How frequently have you appeared at administrative hearings? N/A times per month.



**PRIOR JUDICIAL EXPERIENCE**

29. a) Have you ever held judicial office or been a candidate for judicial office? If so, state the courts involved and the dates of service, or dates of candidacy.

N/A

b) If you have held judicial office, state the names and addresses of counsel who have appeared before you who would be knowledgeable of your work, temperament, and abilities.

c) Prior quasi-judicial service:

Name of agency \_\_\_\_\_

Position held \_\_\_\_\_

Hearings on what types of issues \_\_\_\_\_

Number of cases adjudicated \_\_\_\_\_

Dates of service \_\_\_\_\_

**BUSINESS INVOLVEMENT**

30. a) If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment to judicial office.

N/A

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law?

Yes      No. If yes, give the details, including dates.

I occasionally act as an arbitrator through the Lake County Common Pleas Court. I have done so for approximately the last four years, and participate in an arbitration panel approximately 1-2 times per year.

c) During the past five years have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind?

Yes      No. If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

Only as indicated in the previous answer.

31. a) Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance?

Yes      No. If yes, give details. (Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.)

b) Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute?

Yes      No. If yes, give particulars.

32. a) Have you ever been sued by a client?      Yes      No. If yes, give particulars.

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice?

Yes      No. If yes, give particulars, including the amounts involved.

33. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct?

Yes      No. If yes, give particulars.

34. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group?

Yes      No. If yes, give particulars.

35. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities?

Yes      No. If no, explain.

36. Have any liens or claims ever been instituted against you by the federal, state or local authorities?      Yes      No.

If yes, explain.

**PROFESSIONAL AND OTHER ACTIVITIES**

37. a) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged.

Lake County Bar Association

- b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 37.a), of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization.

St. Mary PTO, Painesville, Ohio - Treasurer, 2007-2008  
St. Mary Festival Committee, Painesville, Ohio - Volunteer Coordinator, 2008  
St. Mary of the Assumption, Mentor, Ohio - Volunteer Coordinator, 2009 to Present  
St. Mary of the Assumption, Mentor, Ohio - PTU

**SUPPLEMENTAL INFORMATION**

38. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.

39. State any additional education or other experiences you believe would assist you in holding judicial office.

As a judicial staff attorney, I am responsible for managing the court's docket. I regularly conduct pre-trial conferences, and handle case management issues. I also have experience dealing with a wide ranging variety of legal issues, such that my experience is not confined to a single area of law. I assist the judge in making decisions by providing him with legal research, and making recommendations. This experience has given me a sort of behind the scenes understanding of how a court runs that most attorneys do not have.

40. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the district court and the selection panel in connection with your possible selection as United States magistrate judge.

I can offer this position solid experience in legal research, legal writing and excellent problem solving skills. My experience includes office administration, task assignment, and problem resolution.

I believe that I possess outstanding organizational and leadership skills as well as excellent interpersonal skills. I thrive on challenge and can easily multi-task.

41. a) List three individuals as references who are familiar with your abilities.

Name

Mag. Mathew Spangler

Address 47 N. Park Place, Painesville, Ohio 44077  
Telephone (440) 350-2648  
Name Marley Eiger, Esq.  
Address 8 N. State St., Suite 300, Painesville, Ohio 44077  
Telephone (440) 352-6200  
Name David White, Esq.  
Address 47 N. Park Place, Painesville, Ohio 44077  
Telephone (440) 350-2098

b) List three individuals as references who are familiar with your personal character.

Name Maria Samsa  
Address 1725 E. 238th St., Euclid, Ohio 44117  
Telephone (216) 383-8263  
Name Maria Tomba  
Address 47 N. Park Place, Painesville, Ohio 44077  
Telephone (440) 350-2662  
Name Tina Cameron  
Address 800 Dawn Rd., Madison, Ohio 44057  
Telephone (440) 231-0608

**CONFIDENTIALITY STATEMENT**

This form will be kept confidential and will be examined only by members of the merit selection panel and the judges of the district court. The individuals whom you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

I declare under penalty of perjury that the foregoing is true and correct.

Signature of Applicant Kelly A. Echols Date 2/4/11

## CONTINUING LEGAL EDUCATION COURSES

Lake County Common Pleas Court Seminar 10/14/2010 & 10/15/2009  
Basic Mediation 8/3/2009  
Hot Topics in Today's Legal Practice 6/5/2008  
Meet Your Judge 2/1/2008  
Medical Malpractice 12/8/2007  
Politics & Justice 10/23/2007  
The Assault on the Rights to Trial 10/3/2007  
OVI 5/5/2007  
Solutions to the Revolving Door 4/10/2007  
Employment Law 3/10/2007  
Forensic Psychology 1/31/2007  
Ethics, Professionalism, and Substance Abuse 11/18/2006, 5/7/2005, 12/9/2003  
Special Sentencing Regimes 11/14/2006  
Elder Law 11/12/2005  
The Journal of Law & Health Lecture 10/18/2005  
Damages – How Did They Get That Verdict? 10/22/2004  
New Lawyer Training 1/29/2004