

Central Brooklyn Independent Democrats Judicial Candidate Questionnaire

Please return to richbennett12@gmail.com by February 8
. Feel free to call (7183441434) or email with any questions

A1. Candidate Name	Hemalee J Patel
A2. Campaign Manager name/Campaign treasurer name	Himatee J Patel
A3. Campaign Contact Information: Address, Telephone, Fax, Email, Website	8909 Shore Court Brooklyn, NY 11209 917.328.2810
A4. Office for which the endorsement is requested / Jurisdiction	Civil Court, 5 th Municipal
A5. Are you the incumbent?	No
A6. Have you been endorsed by CBID before? If so, in what year(s) and for what office(s)?	No
A7. As of now what funds have you raised to support your efforts? (b) What do you expect to spend in support of your candidacy?	a. None. I do not plan to raise funds but instead I will lend money to my campaign. b. I do not know at this time.
A8. What endorsements from community leaders, elected officials, political organizations or newspapers have you received thus far?	Assemblymember Robert Carroll State Senator Andrew Gouardes Councilmember Justin Brannan District Leader Chris McCreight District Leader Victoria Kelly District Leader Mark Hanna Bay Ridge Democrats

<p>A9. Is your candidacy receiving any support from the Kings County Democratic Party? If so, what type?</p>	<p>No.</p>
<p>A10. What sitting Supreme Court Justice of the US do you most admire and why?</p>	<p>Hon. Sonia Sotomayor Not to be trite but she is a New Yorker, a WOC and came from working class roots, making a name for herself by hard work and not as a legacy. I have had the pleasure of meeting her and she is warm and compassionate and down to earth. Plus, she saved Major League Baseball from very long and potentially ruinous strike in the 1990s, and I am a huge baseball fan.</p>

<p>B1. Please include as a link or attachment the following documents:</p> <ul style="list-style-type: none"> a). Citations for your three most significant decisions (if a judge). b). Resume c). Any published articles pertinent to the office you seek. d). Any application filled out for other organizations 	<p>My Resume is annexed.</p> <p>My Judicial Questionnaire for the Judicial Screening Committee for the Brooklyn Democratic Party is annexed.</p>
<p>B2. How many trials have you participated in within the last ten years? Please include citations</p>	<p>As a Special Referee until March 2021, I participated in at least 50 trials per year. These are unpublished and no citations exist.</p>
<p>B3. How many written motions have you made citing legal authority in last 5 years? Please provide copies of 3 most recent motions and/or memoranda</p>	<p>I do not have access to any motion decisions from my time as a referee.</p>
<p>B4. Have you had any court sanctions or disciplinary sanctions in your career? If so, please provide an explanation.</p>	<p>No.</p>

<p>B5. If you are currently serving as a Judge please list the names of the lawyers involved in the last three written opinions that you have issued.</p>	<p>I am not a judge however, lawyers who are familiar with my work as a Court Attorney Referee and as General Counsel are listed in the annexed Judicial Questionnaire at Question 26.</p> <p>2)</p> <p>3)</p>
<p>B6. Provide citations to your last 5 published opinions. If you have less than 5, please provide copies of enough unpublished opinions to bring the total to 5. All published decision first, then fill in the balance with the most recent unpublished decisions.</p>	<p>As Referee my opinions were not published but I have annexed writing samples, and also my work as General Counsel,</p> <p>1)Glessing v Glessing</p> <p>2)Wilton v Wilton</p> <p>3)Counsel’s Report on Specs</p> <p>4) Social Media Policy</p> <p>5) Memo to Commissioners</p>
<p>C1. Are you a member of a political club? If yes, what is the name of the club? And what positions have you held? Please include dates.</p>	<p>I am a member of Bay Ridge Democrats since February 2023.</p>
<p>C2. Have you been elected to any public office or political party position? If so, please describe the office or position.</p>	<p>No</p>
<p>C3. Have you performed any pro bono work in the past three years? Please describe the type of pro bono work you have performed.</p>	<p>No, as an NYC employee, I am not permitted to perform any legal work outside my position.</p>
<p>C4. What Civic Organizations do you belong to? Please describe that the organization does, and what role you play within the organization.</p>	<p>As a NYC employee I am limited by very specific rules regarding conflicts. However, I have a long history of community service and involvement.</p>

I was a troop leader for my daughter's Girl Scout Troop for 10 years until COVID. Girl Scouts believe that all girls have the power to be leaders and make their world a better place. Our troop spent significant time every year volunteering within our communities: visiting seniors, feeding the homeless, participating in beach cleanups.

I was active in my children's school community and volunteered at the school as much as I was able. I was active with the Parent Teacher Organization and co-chaired multiple committees, including Give-Back, which aimed to teach our children the importance of giving back to their world and helping people in need. Among other things, we conducted an annual Coat Drive, a Food Drive and Penny Harvest.

When my children were younger, I was active with Bal Vihar Manhattan, a volunteer organization which runs regular Indian cultural activities and Hindu religion classes for elementary school aged children.

I was an active member on Community Board 2 in Brooklyn, as a member of the Executive Committee and Chair of the Transportation and Public Safety Committee. Over the years I participated in many meetings, forums, roundtables, and hearings for issues which affected my community.

For many years, I was active in working on domestic violence issues as a board member of Sakhi for South Asian Women and the Center for Anti-Violence Education.

Until earlier last year, I was a Board member for Bay Ridge Cares, a non-profit which helps people in need in Bay Ridge and adjoining neighborhoods. BRC organizes Thanksgiving meals for hundreds of people and during the COVID shutdown, organized with other local groups to deliver thousands of bags of groceries to people who were unable to leave their homes.

<p>C5. For each Civic Organization, provide contact information for the Executive Director, CEO or organization head. If you are the executive Director or organization leader, please provide the contact information for at least one Board Member.</p>	<p>Karen Tadross is the President of Bay Ridges Cares 646.220.5813</p>
<p>D1. What bar associations do you belong to? What sections or committees do you belong to? What is your role with the section or committee?</p>	<p><u>Brooklyn Bar Association and Foundation</u> 1995 to present; Board of Trustees, 2007 to 2013; 2014 to 2020; 2021 to present <u>Government and Public Sector Committee, Chair 2023</u> <u>Access to Justice Committee 2022 -present</u> <u>Diversity Committee 2022 - present</u> <u>Foundation Law Committee, Vice-Chair, 2013 to 2020;</u> <u>Family Court Committee, Vice-Chair, 2014 to 2020</u> <u>Annual Dinner Committee, 2005 - 2018</u> <u>Brooklyn Barrister Editorial Board, 2002 - 2018</u> <u>Family Law Section</u> <u>Mentor Committee</u></p> <p><u>Brooklyn Women's Bar Association</u> 1999 - present <u>Former President (2008-2009), Vice-President (2006-2008), Treasurer, Board Member.</u> <u>Former Chair of Matrimonial Committee and Judicial Screening Committee</u></p> <p><u>Women's Bar Association of the State of New York</u> 1999-present <u>Former Co-chair of Access to Justice</u></p> <p><u>South Asian Bar Association of New York</u> 2009-present</p> <p><u>Bay Ridge Lawyers Association prior and current member</u></p>

D2. List any CLE's that you have taught within the last three years, if any. Please provide a syllabus if one is available.

I have not taught any CLEs in the last three years.

HEMALEE J. PATEL
8909 Shore Court, Brooklyn, New York 11209
HJPESQ@gmail.com

EMPLOYMENT

Board of Elections in the City of New York
General Counsel
March 2021-present

Supreme Court of the State of New York, Richmond County
Court Attorney-Referee
November 2012 - March 2021
Conduct trials/hearings of financial issues in matrimonial matters, including equitable distribution, child support and maintenance. Issue decisions or reports; supervise discovery and decide motions, including post-judgment applications.
Manage calendar and all administrative functions of the part.

Law Office of Hemalee J. Patel, Brooklyn, New York
September 2011 - October 2012
Represent clients in all phases of matrimonial and family court actions, including divorces, post-judgment applications, enforcement applications, child support proceedings, custody proceedings and adoptions.

Preston, Stutman & Partners, New York, New York
Partner
November 2011 - October 2012
Represent clients in all aspects of complex, high-net worth matrimonial litigation.

Supreme Court of State of New York, New York County
Hon. Deborah A. Kaplan
Principal Law Clerk to Acting Justice
January 2009 - June 2011

Researched and prepared draft memoranda and draft decisions for the court in dedicated matrimonial trial part.

Conducted pretrial and motion conferences on all cases before the court, including settlement conferences involving attorneys, litigants and self-represented parties. Assisted in calendar management and in supervision of staff and law school interns.

Supreme Court of State of New York, Kings County

January 2001 - December 2008

Hon. Rachel A. Adams

Principal Law Clerk to Acting Justice

Special Referee (in Richmond County)

Designated by Hon. Jonathan Lippman as a Special Referee to hear and determine/report on financial issues in matrimonial actions.

Family Court of the City of New York, Brooklyn, New York

Court Attorney

February 2001 - January 2003

Conferenced cases with attorneys, law guardians and self-represented litigants in custody/visitation and Article 8 part.

Prepared draft decisions for the judge on trials, motions and "Objections to Decision of Hearing Examiner".

Bondorowsky and Patel, Brooklyn, New York

Partner

February 1995 - January 2001

Represented individuals in all phases of Family Law and Matrimonial Law litigation.

Managed practice and supervised staff.

Goidel & Siegel, New York, New York

Of Counsel

May 1993 - January 1995

Patel and Fishman, New York, New York

Partner

May 1992 - April 1993

General Practice

EDUCATION

Brooklyn Law School, Brooklyn, New York J.D. 1991

New York University, New York, New York B.A. 1988

MEMBERSHIPS AND PUBLIC SERVICE

- Brooklyn Bar Association, Trustee and Member of the Board of Directors
- Matrimonial Practice Advisory and Rules Committee for Chief Administrative Judge, Member
- Brooklyn Women's Bar Association, Member, Former President, Vice-President. Treasurer and Board member
- Women's Bar of the State of New York, Former Co-Chair of Access to Justice Committee and International Women's Rights Committees
- South Asian Bar Association of New York, Member
- Bay Ridge Lawyers Association, Member
- Former Arbitrator, Civil Court of City of New York, Brooklyn, New York
- Former Member of Community Board 2, Brooklyn, New York; Chair of Transportation and Public Safety Committee (2001 -2014)
- Center for Anti-Violence Education, Brooklyn, New York, Former Board Member
- Sakhi for South Asian Women, New York, New York, Former Board Member

ADDITIONAL

Mediator - Family and Divorce Mediation Training (2011, New York Center for Interpersonal Development)

- Recipient of the Brooklyn Women's Bar Association's 2011 Sybil Hart Kooper Award
- Recipient of the Brooklyn Bar Association's 2022 Trailblazer Award

Judicial Screening Committee Kings County Democratic Party

2023-2024 Questionnaire for Civil Court, Supreme Court and Surrogates Court

This questionnaire must be completed by all candidates before consideration of their candidacy can commence. Unless otherwise indicated, every question must be answered, even if the answer is negative or an indication that the question is inapplicable.

At the candidate's request, this questionnaire will also be provided in an electronic form formatted in Word or WordPerfect to facilitate completion without resorting to supplying answers on separate sheets where the space provided is insufficient. If the candidate chooses not to avail him or herself of the electronic format and the space provided is insufficient for a complete answer, please complete the answer on a separate sheet(s) attached to the questionnaire.

The Committee requires that if you change your address or telephone number, or if anything occurs which would affect your answers to this questionnaire, the Committee should be promptly notified. Please attach the following:

1. In the event you are a sitting Judge, please provide copies of all financial disclosure forms or statements filed with any Federal, State or City entity, including but not limited to financial disclosures filed with the OCA, New York State Ethics Commission, or any other governmental entity of the last three years. If financial disclosure forms or statements are unchanged for all three years, then a copy of one year will suffice.
2. Copies of any applications submitted to any Judicial Screening Selection Committee for the last 3 years, *other than your previous submissions to this committee*. Only the applications and answers are required, exhibits need not be provided. Scanned copies on CD are acceptable.
3. The Committee will not schedule any interviews when an application is incomplete.
4. Please indicate whether you are applying for Civil Court, Supreme Court, and/or Surrogates Court?

PLEASE EXECUTE THE WAIVERS ON THE LAST TWO PAGES OF QUESTIONNAIRE.

Please be advised that all information provided will be kept strictly confidential. Due to the pandemic, you must provide a pdf copy of the completed questionnaire no later than **NOVEMBER 30, 2023** to: tali@edelmanpc.com

1. Please indicate whether you are applying for the Civil Court, the Supreme Court and/or Surrogates Court:

Civil Court

2. Full name: Hemalee J Patel

(If you have ever used or been known by any other name, state that name):
Hemalee Patel Kher

3. Office address:

Office of The General Counsel
Board of Elections in the City of New York
32 Broadway, 7th Floor
New York, NY 10004

4. Present residence:

8909 Shore Court
Brooklyn, NY 11209

5. List other residences you have had within the past five years, including temporary residences, and dates:

None

6. Telephone numbers and email address where you may be reached:

917.328.2810
HJPESQ@gmail.com

7. Date and place of birth:

Vadodara, India

8. Present position or occupation:

General Counsel, Board of Elections in the City of New York

9. Have you been engaged in any occupation, business or profession other than the practice of law, since the date you were admitted to the Bar?

No

(a) If so, give details, including dates, and the circumstances under which you ceased to be so engaged:

N/A

(b) In the event that the occupation, business or profession in which you were engaged was owned by you alone, or owned by you with others, directly or indirectly, state the names and present addresses of any of those who shared the ownership, and state whether or not there are unpaid debts or claims with respect to the conduct of that occupation, business or profession:

My sister, Himatee Patel, and I own a vacation home in Ulster County, NY (purchased in 2019) which we rent occasionally through Airbnb. It does not return a profit but the fees help offset the routine expenses.

10. If you are married, in a civil union or a domestic partnership whether formalized or not, state the date when this was entered into and the full name and occupation of your spouse:

My husband is Unmesh Kher, we were married on January 18, 2000. He is the Editorial Director at Ludwig Institute for Cancer Research, non-profit that funds cancer research.

11. List all colleges and professional schools (other than law schools) ever attended; include degrees received, class standing if known, honors, and indicate the month and year of beginning and ending of periods of attendance. If a degree was not received, state the reason, and state the nature of the course of study pursued:

<u>College:</u>	<u>New York University</u>
<u>Dates Attended:</u>	<u>09/1984 - 6/1988</u>
<u>Type of Degree:</u>	<u>Bachelor of Arts</u>
<u>Major:</u>	<u>Political Science</u>
<u>Rank:</u>	<u>Not available</u>

12. A. List all law schools attended, giving the same information requested above:

<u>Brooklyn Law School</u>	
<u>Dates Attended:</u>	<u>09/1988 - 6/1991</u>
<u>Type of Degree:</u>	<u>Juris Doctor</u>
<u>Rank:</u>	<u>Not available</u>

B. Date you were admitted to the Bar in New York

February 1992

- C. List any other jurisdictions you are admitted to including all Federal and State Courts and the dates of admission

Supreme Court of the United States, admitted November 1998

State of New Jersey, admitted June 1992.

13. A. List any post-law school education and the degrees if any awarded.

N/A

- B. List all continuing legal education courses which you have participated in either by lecturing or attending within the past four years

In 2020:

Ultimate Matrimonial Update 2019

New York's Professional Reliability Expert Testimony Rule

Sidewalk and Premises Liability Update

Election Law Update 2020

Hearsay: Is the Rule Changing? Part 1

Family and Matrimonial Law Update 2020, Part 1

Civil Remedies 2020

Contracts and Coronavirus

Child Support Update 2020

An Overview of the Disability Laws and the Efforts of Interrupts Bias against the Disabled Laws

15 credits

In 2021

Matrimonial Update, Part 1

Matrimonial Update, Part 2

Election Law CLE

An overview of maintenance, Child Support, Imputed Income and Support Modification

Financial and Custodial Modification Applications amid COVID-19

Predatory Marriage and New York's Elective Share Law

Protecting the Record – An Appellate View

Evidence in Matrimonial Matters

The Intersection of Matrimonial Law and Immigration

ADR Ethics Program: Implicit Bias in New York State Courts

Election Law 101

Election Law -Review of 2020 Changes Including Absentee Ballot Changes

Where Can We Be Sued? The Evolving Landscape of Personal Jurisdiction.

17.5 credits

In 2022

Ensuring Diversity, Equity, and Inclusion in New York's Cannabis Industry

State of the Criminal Courts

The History and Current Status of Supreme Court Precedent on Abortion Rights

Ethical Obligations in a Post COVID-19 World

Search & Seizure Law 2022 Update

Stand Up CLE: Unethical Conduct by Lawyers in Classic 90's TV Series
Embarrassing Errors Good Lawyers Make in Contract Definitions
Fundamentals of State Constitutional Law
Ethical Landmines Facing Attorneys in Everyday Practice
Generations in American Politics
Cybersecurity and Data Privacy: How to Build your Company's Information Security Program
#FreeBritney: The Ethics of the Britney Spears Debacle
Employee Benefits Law: What you Need to Know
Worker's Comp Settlement Negotiation: Essential Strategies
More Than Meets the Eye: Tackling Deep-Level Diversity in the Law
16.5 Credits
In 2023
Stand Up CLE: Don't Try this at the Office.
Mar-a-Lago
Cyber Security Training
A General Counsel's Guide to Protecting the Attorney-Client Privilege
Navigating the New Notary Law – General Counsel Best Practices
Enhancing the Law Department and Agency GC Partnership to Yield Successful Litigation Results
Insurance Basics for Agency Counsel
Basics of Procurement Law for Agency Counsel
Agency Counsel Best Practices for Responding to EEOC and State Division Charges
General Counsel Best Practices for Conducting Open Meetings
General Counsel Resources for Conflict Resolution
Airplane Etiquette and Attorney Ethics
Child Custody Evaluations: what Attorneys Must Know
Compelled Decryption and the Fifth Amendment
Chapter 11 Bankruptcy Explained.
Power and Process 2023: Understanding New York City's Laws, Part 1
18 Credits
Total Credits: 67

C. Please provide proof of the OCA filing indicating compliance with the biannual CLE requirements and attach proof to your application.

Please see annexed.

14. Have you been in continuous compliance with the registration requirements for Attorneys in the State of New York since your admission to the bar?

YES .

15. Please provide proof that you are in good standing and in compliance with CLE requirement.
Please see above answer to 13C

16. Have you been in continuous compliance with the registration requirements for the other jurisdictions you have been admitted to since your admission to that Bar.

YES X.

17. Are you registered to vote?

Yes X

No _____

18. If yes, in what county? Kings County

19. What, if any, is your party enrollment? Democrat

20. Over the past five years have you consistently voted in primary (Y) (N) and general (Y) (N) elections? If no, please explain.

Yes

21. Are you a member of any political club, association or organization?

I have been a Member of Bay Ridge Democrats since February 2023

A. If so, please identify and list any offices held during the past five years? N/A

22. Have you been elected (including election as a result of an uncontested primary election) to any public office or have attained any position in any political party and if so please identify the offices or positions that you have held and dates you have held such office(s) or position(s)?

N/A

23. If you have served in the Armed Forces, including the Reserves or the National Guard, state the date of entry into and discharge from the service, nature and type of discharge, rank at the time of entry and discharge, and state any award or citations you received:

N/A

24. Are you now an officer or director or otherwise engaged in the management of any enterprise or charitable organization? No

(a) If so, give details, including name, dates, nature of business and description:

(b) Is it your intention to resign each such position and withdraw from participation in the management of any such enterprise, if you are nominated and confirmed?

N/A

If not, state the reasons:

25. List in chronological order the time and location of every place you have practiced law, and the nature of your practice since your first admission to the Bar. If you have practiced in partnership with others, include the partnership name(s) and address (es):

Name: Board of Elections in the City of New York

Address: 32 Broadway, 7th Floor, New York, New York 10004

Dates: 3/15/2021 to present

Position: General Counsel

Nature of Practice: Election Administration, Agency administration and policy, Litigation

Name: Supreme Court of the State of New York, Richmond County

Address: 18 Richmond Terrace, Staten Island, New York, 10301

Dates: 11/2012 to 3/2021

Position: Court Attorney-Referee

Nature of Practice: Matrimonial

Name: Law Office of Hemalee J. Patel

Address: 186 Joralemon Street, Suite 910, Brooklyn, New York 11201

Dates: 9/2011 to 10/2012

Position: Solo practice

Nature of Practice: Family and Matrimonial Law

Name: Preston, Stutman & Partners

Address: 630 Third Avenue, 5th Floor, New York, New York 10017

Dates: 11/2011 to 10/2012

Position: Partner

Nature of Practice: Family and Matrimonial Law

Name: Hon. Deborah A. Kaplan

Supreme Court of the State of New York, New York County

Address: 60 Centre Street, New York, New York 10007

Dates: 1/2009 to 6/2011

Position: Principal Law Clerk to Judge

Nature of Practice: Matrimonial litigation

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Name: Hon. Rachel A. Adams

Family Court of the City of New York, Kings County

Supreme Court of the State of New York, Richmond County

Supreme Court of the State of New York, Kings County

Address: 360 Adams Street, Brooklyn, New York 11201

Dates: 2/2001 to 12/2008

Position: Principal Law Clerk to Judge

Nature of Practice: Matrimonial litigation

Name: Bondorowsky & Patel
Address: 26 Court Street, Suite 1811, New York, New York 11242
Dates: 2/1995 to 1/2001
Position: Partner
Nature of Practice: Family and Matrimonial Law

Name: Goidel & Siegel
Address: 56 West 45th Street, New York, New York 10036
Dates: 5/1993 to 1/1995
Position: Of Counsel
Nature of Practice: General civil litigation, family law, immigration, real estate

Name: Patel and Fishman
Address: 110 West 32nd Street, New York, New York 10001
Dates: 8/1992 - 4/1993
Position: Partner
Nature of Practice: Family and Matrimonial Law, Immigration, Real Estate

Name: Kaminsky & DeMoyano, PC*
Address: 325 Broadway, New York, New York 10007
Dates: 3/1992 - 7/1992
Position: Associate
Nature of Practice: Landlord-Tenant
* I believe this firm no longer exists.

26. List areas of the law in which you have specialized, and the periods during which you have conducted each specialty:

Period of Specialty: 1995 to 2021.
Specialty: Divorce, custody, child support, maintenance, equitable distribution, orders of protection and family law

Period of Specialty: March 2021 to present.
Specialty: Elections, Elections Administration.

Please see annexed addendum explaining the duties of the Office of the General Counsel.

26. a) If you are an **attorney**, state the number of cases you have tried to conclusion in courts of record in the past five (5) years, indicating whether you were sole, associate, or chief counsel. Provide the name, a brief description of each case listed, and the court in which the case was tried. Give the citations of any reported cases. If you participated in the trials noted above as an **attorney**, provide the names, current addresses and telephone numbers of your adversaries, the name of the judge, and the approximate date the trial ended for all cases within the past five (5) years. If you have participated in more than 15 trials over the past five (5) years, list only the 10 most recent trials.

In my capacity as Court Attorney-Referee, in 2019-2020, these are the cases for which I was assigned to conduct a trial: *

*Due to the small number of matrimonial practitioners in Richmond County, many of my trials have the same counsel. I have included ongoing cases in an effort to provide a diverse list of names.

Plaintiff

Defendant

Glessing v Glessing

Fran Cohen, Esq.
1110 South Avenue, Suite 302
Staten Island, NY 10314
347.273.1238

(Pro Se)

Camuso v. Camuso

Lloyd Thompson, Esq.
2110 D. Clove Road
Staten Island, NY 10305
718.447.3600

Catherine Bridge, Esq.
1110 South Avenue, 4th Floor
Staten Island, NY 10314
718.448.9600

Wilton v Wilton

Alison Aplin, Esq.
281 Rhine Avenue
Staten Island, NY 10304
718.987.5710

William Leininger, Esq.
900 South Avenue
Staten Island, NY 10314
718.979.5200

Giovinazzo-Varela v Varela

Claire Cody Miller, Esq.
1 Edgewater Plaza
Staten Island, NY 10305
718.815.2003

Adelola Sheralynn Dow, Esq.
900 South Avenue, Suite 46/47
Staten Island, NY 10314
800.560.0922

Since March 2021, as General Counsel at the NYC BOE, I participate in litigation as the client, but am deeply involved in trial preparation and strategy and appear in court to provide first-hand knowledge and guidance.

Kepi v NYCBOE

Felder v Tischler and NYCBOE

Martin Connor, Esq.
61 Pierrepont Street, #71
Brooklyn, NY 11201
718.875.1010
Cell Phone: 347-645-9146

Amato v Sullivan and NYCBOE

Frank Bolz, Esq.
Sweeney, Reich & Bolz, LLP
1981 Marcus Avenue, Suite 200
Lake Success, NY 11042
718.459.9000

Stein v Eisner and O'Malley and NYCBOE

Sarah Steiner, Esq. (for respondents)
401 East 74th Street, 9P
New York, NY 10021
917.776.5175

Tuck v Gonzalez v NYCBOE and Olavarria and Jenkins/Napoleon

Paul D. Newell (for respondents)
65 Columbia Street, 21D
New York, NY 10002
347.351.7285

Fossella et al. v. NYCBOE et al

Jerry Goldfeder, Esq. (outside counsel for NYCBOE)
Cozen O'Connor
175 Greenwich Street, 55th Floor
New York, NY 10007
917.680.3132

King v Simpson and NYCBOE

Ali Najmi, Esq.
32 Broadway, Suite 1310
New York, NY 10004
212.401.6222

Chen v Pai and NYCBOE

Aaron Foldenauer, Esq.
Law Office of Aaron S. Foldenauer
30 Wall Street, 8th Floor
New York, NY 10005
212.961.6505

b) If you presided as a **Judge**, include ten (10) most recent trials within the past five (5) years. Also, provide the names of all lawyers and contact information and two (2) recent written opinions whether published or not and (2) published in Supreme/Civil Court if possible. (copies of all opinions should be annexed)

c) If you are a **Court attorney** please provide the last ten (10) conferences that you have participated in any substantial manner. Please provide us with all names, addresses of the attorneys and contact information along with the names of the cases.

CAUTION

Do not “cherry-pick” the names of the cases or provide a list of recommendations. Please provide only the information requested. A failure to follow this instruction may result in a finding that you have not cooperated with the application procedures and may lead to a negative rating by the Committee.

27. If you have appeared in the Appellate Court as a **lawyer**, state the number of appeals you have been involved with in the past five (5) years, indicating whether you were sole, associate, or chief counsel. Provide the name, a brief description of each appeal listed, and the court to which the appeal was taken and legal citations. Provide the name, current addresses and telephone numbers of your adversaries.

If you have presided as an appellate Judge, provide the names and dates of the cases, current addresses and telephone numbers of the attorneys appearing who argued the appeal. Please limit this request to those decisions in which you have been the primary author in the past (5) five years.

N/A

28. In the event that you have been a practicing lawyer at any time within the last five years, answer the following:

(a) Did you appear in Court regularly, occasionally or not at all?

Please see above answer to Question 26 (a).

If the frequency of your appearances in Court varied during this period, explain the variance.

Currently, I only appear in Court when the NYC BOE is a named party, which occurs mostly as it relates to ballot access and pre-/post-election, but also in other lawsuits related to labor issues, challenges to laws which impact on elections, lawsuits related to contracts or tort claims in which the NYCBOE is a party.

(b) Describe your litigation practice during the last five years, indicating what percentage was civil or criminal, or attributable to a more specific type of case, such as Personal Injury, Landlord and Tenant, Securities, and the like. Give as much detail as is necessary for an understanding of the nature of your litigation practice during the said five-year period:

All my practice has been in civil proceedings.

- (c) What percentage of your appearances in the last five (5) years were _____ in:
New York Court of Appeals,
Supreme Court of the State of New York and/or Civil Court of the City of New York
(Including Appellate Divisions) % 100 other courts of record % _____
Administrative bodies % _____ Federal Court % _____ Other % _____

29. Summarize your experience in Court prior to the last five years, in comparison to your answer with respect to the last five years:

In 2019 and 2020, I was a Special Referee in the Supreme Court of Richmond County, since March 2021 I have been the General Counsel for the Board of Elections in the City of New York

In the event you have not appeared in court within the last five years, please provide us with a detailed answer as to your work history within that five-year period (e.g.: managing partner, supervising associates, etc.). Kindly list your prior litigation experience in detail.

N/A

30. If you have been a practicing lawyer within the last five years, but only a transactional lawyer whose practice did not require or need you to appear in Court on a regular basis or at all, on a separate sheet please list the 10 most important matters that you worked on and a brief description of them and please include the names and contact information of the attorneys you worked with on these matters including any and all supervising attorneys and the attorneys who represented the other parties involved.

N/A

31. If your practice within the last five years was mainly a transactional practice as described above and you do not work for a government agency, with your client's permission the committee may wish to contact some clients if that permission is granted.

Please list the names and contact information of any client whom the committee may contact.

32. If you have worked for any organization in the past 10 years and your legal duties consisted of either being a legal advisor or compliance officer, please list all positions you have held and the names and current contact information of your immediate supervisor(s) who is/are intimately familiar with your work. If applicable, please provide the names of at least three supervisors and current contact information.

Michael J. Ryan Executive Director, Board of Elections

212. 487.5403

Rodney Pepe-Souvenir, Kings County Democratic Commissioner

770.910.3336

Hon. Carol Edmead, New York County Democratic Commissioner
917.882.6668

33. List each judicial office you have held, including dates in office, and any specific functions you had been assigned within the particular Court:

N/A

34. List other experience or positions of a judicial nature, such as arbitrator, mediator, law clerk, and the like, giving dates and explanatory details:

I was an arbitrator in Small Claims Court in Kings County for many years, from approximately 1995 to 2012. I have also been a law clerk and Special Referee as detailed in previous questions.

35. List each public position you have held, other than a judicial nature, giving dates and explanatory detail:

I was appointed a member of Community Board 2 in Brooklyn from 2001 to early 2014. For six years of that time, I also served as Chair of the Transportation and Public Safety Committee and Executive Committee.

36. List any teaching position you have held, including part-time or occasional, with dates and a description of the subject matter and educational institution or sponsor:

37. List all bar associations, other professional societies and community organizations of any kind of which you are or have been a member, and give the titles and dates of any office, chairmanship or committee membership which you have held:

Brooklyn Bar Association and Foundation

1995 to present;

Board of Trustees, 2007 to 2013; 2014 to 2020; 2021 to present

Government and Public Sector Committee, Chair 2023

Foundation Law Committee, Vice-Chair, 2013 to 2020;

Family Court Committee, Vice-Chair, 2014 to 2020

Annual Dinner Committee, 2005 - 2018

Brooklyn Barrister Editorial Board, 2002 - 2018

Family Law Section

Mentor Committee

Brooklyn Women's Bar Association

1999 - present

Former President (2008-2009), Vice-President (2006-2008), Treasurer, Board Member.

Former Chair of Matrimonial Committee and Judicial Screening Committee

Women's Bar Association of the State of New York

1999-present

Former Co-chair of Access to Justice

South Asian Bar Association of New York

2009-present

Court Attorneys Association of the City of New York

2012-March 2021

Asian American Bar Association of New York

2007-2010

Catholic Lawyer's Guild, Kings County

2008 - 2011

Citywide Association of Law Assistants of the Civil, Criminal and Family Courts in the City of New York

2001 to 2011

Bay Ridge Lawyers Association prior and current member

38. List any other organizations of which you are or have been a member, including social or fraternal, and give the titles and dates of any office, chairmanship or committee membership which you have held:

Community Board 2 (Brooklyn),

2001 to 2014;

Chair, Transportation and Public Safety Committee 2007-2014

Member of Executive Committee, 2007-2014

Brooklyn School of Inquiry, Parent Teacher Organization

Co-Chair, Movie Night Committee, 2010-2012

Co-Chair, Give Back Committee, 2011-2018

Co-Chair, Direct Appeal 2022 – 2023

Bay Ridge Cares, Board of Directors 2018 -2023

39. If you have answered the previous question in the affirmative, do any of these organizations, associations, or clubs restrict their membership on the basis of gender, race, religion, national origin, sexual orientation, or physical limitations. If the answer is yes, please describe the restrictions.

No

40. Describe any executive or administrative experience you have had, whether through your occupation or otherwise, giving details and dates:

As a Principal Law Clerk, I worked in a busy matrimonial part, helping with all administrative duties and supervising interns. As a Court Attorney-Referee, I was responsible for all the administration of my part (I was not assigned a part clerk): including calendar management and scheduling.

As volunteer Girl Scout troop leader, I managed all the administrative functions of the troop, which consisted of 18 girls from 15 families, including planning of trips, special events, volunteer events, organizing cookie sales and delivery and liaising with Girl Council for their administrative and reporting requirements.

As the General Counsel for the Board of Elections, I work on multiple aspects of agency administration, including policies, procedures, and employee discipline.

41. Annex copies of at least five examples of any legal writings be it legal decisions, articles, books, briefs, or memorandums which are representative of your legal abilities.

Please see annexed.

42. If you are a sitting Judge and have been reversed or had decisions modified by a higher Court, please provide a list of all such decisions. Please annex a copy of any decision in the last 5 years which have been reversed or modified. If no decision has been reversed or modified on appeal, please provide copies of the decisions which have been affirmed in the last five (5) years. If none of your decisions have been appealed, please so indicate.

N/A

43. If you are a sitting Judge, list all cases that have come before you in which a litigant has requested that you recuse yourself or which you have recused yourself sua sponte, and explain the circumstances of the request or sua sponte recusal.

N/A

- 44.

It is expected that a judge and other public officials shall not, by words or conduct, manifest or appear to condone bias or prejudice, including but not limited to bias or prejudice based upon age, race, creed, color, sex, sexual orientation, religion, national origin, disability, marital status, socioeconomic status, alienage or citizenship status and shall require staff, court officials and others subject to his or

her direction and control to refrain from such words or conduct. Will you be able to meet this expectation?

Yes X No _____

45.

Has any complaint been filed or otherwise brought to your attention which involved issues concerning insensitivity to issues involving any of the above in question 44?

Yes _____ No X _____

If you answered yes, please describe in detail the circumstances and any resolution that may have been reached.

N/A

46. If you are a sitting Judge in any Court, have you ever held a lawyer in contempt?

Yes _____ No X _____

If yes, please list the number of times you have done so, the names and the addresses of the lawyers involved, the circumstances of the contempt, the fines you levied or imposed and the outcome of any appeal taken by the lawyer.

47. A judge may be required to handle emergency applications, cope with media scrutiny, issue quick decisions, deal with fractious litigants, recall significant amounts of information, and otherwise respond to extremely stressful situations. Can you describe briefly how you would handle such situations.

I believe that, in every case, litigants and attorneys should be treated with respect and courtesy. I will always strive to maintain an appropriate demeanor of calm and patience. I understand that the court must balance important privacy concerns with the right that the public has to an open courtroom. I recognize that courts have an obligation to render decisions in a timely manner so that the public is confident in the court's ability and competence.

In my current position, I have routinely dealt with media scrutiny. All regular meetings of the Commissioners and hearings are open to the public and are livestreamed.

I have helped respond to numerous emergencies regarding the safety of staff, poll workers and voters. I have participated in decisions regarding agency policy that impact hundreds of employees.

In all such instances, I have adhered to my core belief that I am, first and foremost, a public servant. As such every decision I make balances the needs of the individual employee/voter/candidate/etc against the mandate of the Board to conduct fair and open elections in New York City.

48. Has an employer or supervisor or Administrative Judge ever counseled or expressed concern about, your absenteeism or failure to meet expected deadlines or other productivity expectations?

Yes _____ No X

If yes, please describe:

49. If you are presently a Judge, can you detail whether or not your decisions on motions have been issued within the time frame set by either OCA or your administrative Judge and if not please detail the percentage of motions that are not in compliance and detail the circumstances that have prevented you from complying with the set time frames.

As a Referee I maintained compliance with all time frames.

50. If you are presently a Judge who handles trials, can you detail the average time to render decisions in post-trial motions.

N/A

51. List all interviews you have given to newspapers, magazines, or other publications, radio, or television stations or programs broadcasted over the internet and provide the dates of and subject matter of such interviews

In May 2017 I was interviewed for a profile in the Brooklyn Barrister, as part of a series of interviews of Brooklyn Bar Association leaders.

52. Do you engage in TWITTER, LINKEDIN, FACEBOOK, INSTAGRAM or other similar public communication platforms?

Yes

53. What is the name(s) that you use when you use any of these platforms?

Facebook: Hemalee J. Patel

Instagram: HJPESQ

Twitter: @Hemaleejp

54. What subjects have you Tweeted, Instagrammed, or Facebooked about?

My posts are about my life: photos of my children, friends, vacations, food/cooking, books, my plants and garden and sharing information about voting.

55. Do you have a following on any of these platforms?

Yes, I have Facebook and Instagram friends. They are all people I know in real life: family, friends, colleagues, neighbors.

56. Do you give permission to member(s) of the committee to view/investigate the "public" aspect of your social media platform?

Yes

57. Are you now, or have you ever been, the subject of any formal complaint or charge filed with any disciplinary committee court, government agency or bar association arising out of your official or professional responsibilities during the course of your:

(a) law practice? Yes X No ___

a.i public or judicial service? Yes ___ No X

(b) If yes, please describe each complaint or charge

(b) If the complaint or charge has been resolved please detail its outcome, including whether the governmental agency or other entity, with whom such complaint or charge was filed, censured you, issued a caution, imposed a sanction or took any other action whatsoever criticizing your conduct, even if the complaint or charge was dismissed:

In 1998 a complaint was filed by a former client, with the Grievance Committee of the Appellate Division, Second Department, alleging that I had fraudulently kept his monies after the resolution of his matrimonial case. The complaint was dismissed in October 1998

(c) If the complaint is not resolved as of today and it is still pending please include a detailed statement of what proceedings have taken place so far, if at all, and when if you know you expect a decision on the complaint or charge.

N/A

58. Have you ever been investigated, disciplined, cited, admonished or cautioned for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group, or without regard to the outcome, to your knowledge, has there ever been a complaint preferred against you with or by any court, administrative agency, bar association, or other professional group?

Yes ___ No X If so, give the particulars.

59. To your knowledge, have you ever been the subject of an investigation by any person or private or public entity concerning any possible misconduct, incompetence, unsatisfactory performance of duty, or violation of law?

Yes ___ No X If yes, give particulars.

60. Have you, to your knowledge, ever been found not qualified for any public position by any court, administrative agency, bar association or other professional group?

Yes ___ No X If yes, give particulars.

61. Have you ever been disciplined or terminated by or because of possible termination resigned from any public or private employer, law firm or any other entity because of any misconduct, incompetence or unsatisfactory performance in any respect?

Yes ___ No X If yes, give particulars.

62. Have you ever resigned from, or for other reasons, ceased to be a member of the bar or bench of any state or court in any jurisdiction, a member of any governmental body, a hearing officer or an occupant of any similar position?

Yes ___ No X If so, give particulars.

63. Have you filed appropriate tax returns as required by Federal, State, Local, and other Government authorities in a timely fashion whether by April 15 or by timely filed extensions

Yes X No ___ If no, explain

64. State whether you have ever:

- a) been summoned, arrested, or taken into custody, indicted, or convicted, tried or charged with or pleaded guilty to the violation of any law, ordinance or in the commission of any felony, misdemeanor, or contempt of court, or been requested to appear before any prosecuting or investigative agency in any matter, other than traffic offenses?

Yes ___ No X If yes, please give the particulars:

- b) Failed to answer on the return date any ticket, summons or other legal process served upon you personally at any time?

Yes ___ No X

If so, was any warrant, subpoena, or further process issued against you as a result of your failure to respond to legal process?

Yes ___

No ___

- c) As a member of any armed forces, been the subject of any charges or complaints, formal or informal, or have any proceedings been instituted against you, or have you been a defendant in any Court Martial proceeding or otherwise disciplined?

Yes ___

No ___

Not applicable X

- d) Been declared a ward of any Court, or adjudged incompetent, or have any proceedings been brought to have you declared a ward of any Court or been adjudged incompetent in the past?

Yes ___

No X

- e) Have you received treatment for or in the past been committed to any institution for the care of persons suffering from mental or nervous disorders or drug addiction or alcoholism?

Yes ___

No X

- f) Been a Plaintiff or Defendant in a lawsuit of any kind?

If your answer is Yes to any subdivision above, on a separate sheet, state all facts in full detail and in each case, give name and locality of any court or agency, dates of beginning and termination of action or proceeding, and the judgment or other disposition.

1. In or about January 2000 I was the petitioner in a Landlord/Tenant action against my then landlord (at 231 Court Street, Brooklyn) for his failure to provide heat. I only filed and served papers, and no action was taken as I withdrew the petition thereafter.

2. In May 2005, I was a named defendant in an action in the United States District Court, Eastern District, (05 CV2293) brought by a Husband in a matrimonial action which was pending before Judge Rachel A. Adams, who I worked for at the time. The other Defendants were Judge Adams, the attorney for the Wife, the Law Guardian for the child and the NYS Unified Court System.

Judge Adams and I were both represented by the Office of the Attorney General, and on a Motion to Dismiss, the action was dismissed against all defendants by a Memorandum and Order dated July, 14, 2006.

3. In or about September 2017 I was named Defendant in a case in Supreme Court of Kings County, relating to my primary in September 2017. I was named as a necessary party but the claims made were related to another candidate in the contest. The case was withdrawn by the Plaintiff, Mr. Barry, on the service return date.

4. In or about July 2023, I was named as a Defendant in a case filed by a former poll worker, named Carman Williams. Other Defendants are the Board of Elections, a former employee in charge of poll worker assignments, a former poll worker and a District Leader in Manhattan. Ms. Williams alleges that she was not assigned to work during Early Voting in June 2022 because of racism.

65. (a) Are there any unsatisfied judgments against you? No

(b) Are you in default in the performance or discharge of any duty or obligation imposed upon you by any governmental agency or decree or order of any court including alimony and support Orders and Decrees?

Yes _____ No X

(c) Have you ever made an assignment for the benefit of any creditors?

Yes _____
No X

(d) Has any petition for bankruptcy ever been filed by or against you?

Yes _____
No X

66. (a) What is the present state of your health?

Good

(b) Have you in the past ten years:

(i) been hospitalized due to injury or illness:

Yes X
No _____

(ii) been prevented from working due to injury or illness or otherwise incapacitated for a period in excess of ten days?

Yes X
No _____

If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the condition which caused the confinement or the incapacitation:

In May, 2015 I underwent abdominal surgery and was on medical leave for a period of approximately three (3) weeks. I am not receiving any other treatment in relation to this condition and it does not affect my general health.

(iii) Have you had any hospital confinement, mental illness, serious physical illness, or drug or alcohol addiction during the past ten (10) years?

Yes ___ No X

(iv) Are you presently receiving or contemplating receiving treatment for a physical or mental illness or condition, or for drug or alcohol addiction? Yes ___ No X If so, please give details.

(c) Do you suffer from any physical or mental impairment or other physical handicap that would impede your performance as a Judge, or if you would need any aides or additional help to properly perform your job.

Yes _____
No X

(d) Are you currently under treatment for an illness or physical condition which may impede your ability to carry out your judicial functions?

Yes _____
No X

67. Do you currently use or have in the past used any illegal drugs, abused alcohol, or abused any prescription drugs?

Yes _____ No X

68. Are you presently, or have been in the past, an officer or director or acted in any capacity or have or had any relationship whatsoever including but not limited to providing legal services for or to any corporation or institution be it a profit or not for profit corporation, hospital, or professional association?

Yes X No _____

Brooklyn Bar Association and Foundation
Board of Trustees, 2007 to 2013; 2014 to 2020; 2021 to present

Bay Ridge Cares, Board Member 2028-2023

Community Board 2, Brooklyn
2001-2014

Brooklyn Women's Bar Association
Board Member, 2000-2010

Sakhi for South Asian Women
Board Member, 1996-2000

Center for Anti-Violence Education
Board Member, 2002-2003

(a) Have you ever been issued a license other than a marriage license, license to practice law, license as a notary public, a driver's license or a realtor's license

Yes _____ No X

69. Has any license, including a license to practice law, a license as a notary public, a driver's license or a realtor's ever been revoked or suspended? Yes ___ No X
If yes, please describe the circumstances:

70. Have you ever resigned from a position as, or for other reasons, ceased to be a member of a governmental body, a hearing officer or magistrate or any similar position?

Yes ___ No X

71. Are you now, or have you ever been the subject of any claim of malpractice, in an action or otherwise?

Yes ___ No X

72. Have you, your firm, your employer or any of your clients ever been cited for contempt or otherwise had sanctions imposed upon you or them as a result of your conduct in any judicial or administrative proceeding?

Yes ___ No X

73. A judge is expected to be on the bench or otherwise handling legal matters by about 9:30 A.M. for at least seven hours per day, five days per week, and at times, a Judge's responsibilities may require him or her to be on the bench or at work into the evenings and on weekends. Are you able to perform these tasks on your own or with reasonable accommodation?

Yes X No ___

74. Describe any significant community activities in which you have engaged:

I was a troop leader for my daughter's Girl Scout Troop for 10 years until COVID. Girl Scouts believe that all girls have the power to be leaders and make their world a better place. Our troop spent significant time every year volunteering within our communities: visiting seniors, feeding the homeless, participating in beach cleanups.

I was active in my children's school community and volunteered at the school as I was able. I was active with the Parent Teacher Organization and co-chaired multiple committees, including Give-Back, which aimed to teach our children the importance of giving back to their world and helping people in need. Among other things, we conducted an annual Coat Drive, a Food Drive and Penny Harvest.

When my children were younger, I was active with Bal Vihar Manhattan, a volunteer organization which runs regular Indian cultural activities and Hindu religion classes for elementary school aged children.

I was an active member on Community Board 2 in Brooklyn, as a member of the Executive Committee and Chair of the Transportation and Public Safety Committee. Over the years I participated in many meetings, forums, roundtables, and hearings for issues which affected my community.

For many years, I was active in working on domestic violence issues as a board member of Sakhi for South Asian Women and the Center for Anti-Violence Education.

Until earlier this year, I was a Board member for Bay Ridge Cares, a non-profit which helps people in need in Bay Ridge and adjoining neighborhoods. BRC organizes Thanksgiving meals for hundreds of people and during the COVID shutdown, organized with other local groups to deliver thousands of bags of groceries to people who were unable to leave their homes.

75. Have you written articles for publication? Yes ___ No X___

76. Have you had any teaching experience in law or related fields?

Yes ___

No X___

77. Have your qualifications been reviewed by **this** committee?

Yes X___

No ___

Yes, I was found qualified in 2015, 2017 and 2018.

78. Have your qualifications for public office previously been reviewed by any other committee or other professional association?

Yes X___ No ___

If yes, please identify the organization, state the date of the review, and detail all findings by the organization:

In August 2015 I was found "Highly Qualified" by the Independent Judicial Election Qualification Commission for the Second and Thirteenth Judicial Districts.

In 2017 I was found "Highly Qualified" by the Independent Judicial Election Qualification Commission for the Second and Thirteenth Judicial Districts; "Highly Approved" by LeGal, The LGBT Bar Association and "approved" by the New York City Bar's Committee on the Judiciary.

79. (a) If you are seeking elective office, do you subscribe, and have adhered to the campaign guidelines established for judicial candidates by the New York State Bar Association (published in the New York State Bar Association Journal; Committee on Professional Ethics Opinion No. 289, dated April 27, 1973?

Yes X
No _____
Not Applicable. _____

- (b) If you are seeking elective office, have you, or anyone on your behalf, issued any campaign literature concerning the election in which you are a candidate?

Yes _____ No X If yes, please attach copies.

- (c) If you are seeking elective office, have you read the rules of the Chief Administrative Judge relating to inappropriate political activity by a judge or a candidate for public election to judicial office(22 NYCRR 100.5)? Yes X No _____

- (d) Have you complied with the rules mentioned in (c) above?

Yes X No _____

- (e) If you are seeking elective office, please provide copies of campaign expenditure reports, if available.

80. Are you related by blood, marriage or other partnership or civil union relationship to any member of the Committee who will review this application?

Yes _____ No X

81. Has any member of the Committee ever represented you or any family member?

Yes _____ No X

82. List any office, trusteeship, directorship, partnership or position of any nature, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business

with, or had matters other than ministerial before, any state or local agency, list the name of any such agency.

X None

Position

Organization

State or Local Agency

Please see prior answers regarding voluntary/non-profit work.

83. If you, your spouse, domestic partner or unemancipated child was engaged in any occupation, employment, trade, business or profession which activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name, address and description of such occupation, employment, trade, business or profession and the name of any such agency.

X None

84. List any interest, in EXCESS of \$1,000, held by the reporting individual, such as individual's spouse, domestic partner or unemancipated child of which any such person is a member, or corporation, 10% or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by a state or local agency and include the name of the entity and the interest in such contract. Do NOT include bonds and notes. Do NOT list any interest in any such contract on which final payment has been made and all obligations under the contract except for guarantees and warranties have been performed, provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties. Do NOT list any interest in a contract made or executed by a local agency after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals. X None

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

Please see my Personal Statement regarding my work in the Unified court System.

86. (a) Set forth any information not otherwise elicited by this application which would effect favorably or unfavorably, your eligibility for the office for which you are a candidate or in any way may bear upon consideration of your candidacy:

Please see Personal Statement regarding my work in the Unified Court System.

- (b) State any pertinent information reflecting positively or adversely on you which you believe should be disclosed to this Committee in connection with your possible nomination Judicial office.

Please see Personal Statement regarding my work in the Unified Court System.

- (c) Is there anything in your personal or professional background that, if publicly known, could be viewed as embarrassing either to you personally or this committee or to the judiciary? Yes ___ No X

87. State any achievements or actions you have accomplished, demonstrating your professional abilities and or your commitment to equal justice under the law:

I have been a member of the Chief Administrative Judge's Matrimonial Practice and Rules Committee (MPARC) since 2014. This is a statewide committee, chaired by Hon. Jeffrey Sunshine, and comprised of judges and eminent members of the matrimonial bar from all judicial districts in the State of New York. MPARC advises OCA on issues concerning the practice of matrimonial law, including new legislation and practices. Among other things, the Committee has been instrumental in the implementation of the new maintenance law, the change of the rules to strengthen enforcement by contempt applications in Supreme Court and a recent change in the forms for Preliminary Conference and Statement of New Worth. I was the only Court Attorney Referee and the only person from Staten Island on the Committee.

In late 2015, I, along with members of MPARC and the Office of Court Administration's Dept of Technology helped create the first ever calculator and worksheet which allows the public to calculate the possible awards of post-trial child support and maintenance, based on the new maintenance statute (eff. January 2016). Calculators of this kind did not exist prior to this time. A prior online tool for the calculation of temporary maintenance was only available to private practitioners who could purchase the relevant computer programs.

I believe this calculator and worksheet are invaluable to litigants who are self-represented and to practitioners in small practices. It allows them to have the very same tools the

courts use in making their decision, giving them important information with which to prepare themselves for trial or settlement.

All my work on the MPARC is voluntary. This project took about 75 hours over a three-month period. After the calculator was created, I, along with my colleague who is Counsel to MPARC, taught a webinar and participated in Q&A forums on its use for members of the judiciary.

I remain on this committee despite leaving the court system, at Justice Sunshine's specific request.

88. Briefly state why you believe you are qualified for the Judicial position you seek.

Prior to my appointment to my current position, I have had 20 years of experience and service in the Unified Court System. I am familiar with all the work of a busy Court part and served as an actual trial part for 8 years. I am deeply committed to the work of the courts and understand the value and importance of a judiciary committed to justice.

Personal Statement of Hemalee J. Patel

Until March 2021, I was Court Attorney-Referee in Richmond County Supreme Court, where I conducted trials and hearings on financial issues in matrimonial matters, including equitable distribution, child support and maintenance. My duties included issuing decisions or reports in a timely manner, supervising discovery and deciding motions, including post-judgment applications. I was also responsible for the management and administration of my own calendar and part and gained valuable experience in the logistics of scheduling and conducting trials. Further, I became very familiar with administrative requirements and court computer systems, such as Case Management and CCIS.

At all times I strove to conduct my work in a serious, patient, and thoughtful manner. All litigants are, of course, entitled to have their day in court and I know it is important, especially in Matrimonial actions, that the court have access to all vital and competent evidence available, so that a reasoned and fair result may be reached. Nevertheless, I recognized that the parties are often better served by a settlement of the very personal and sensitive issues in divorces, as this can save them the considerable financial and emotional costs of litigation.

In working with attorneys, I always kept in mind and respected the calendar management issues faced by those in small or solo matrimonial practices in Richmond and Kings County. I also gained extensive experience with self-represented litigants.

The quality of our lives is directly and deeply influenced by those who serve the public and I considered myself privileged to be a civil servant—and tried always to be one in the truest sense. This meant, to my mind, that I did my best and conveyed that intention by being at all times honest, fair and courteous to the parties and attorneys who appeared before me. Beyond that, I believed that the quality of my work and persona should have inspired confidence in our judicial system and address the needs and requirements of both the litigants and the court.

In my personal life I have strived to be a positive influence in my various communities, and to be a role model for my children, as I deeply believe in my responsibility to change my world for the better.

As an immigrant South Asian woman, I have a unique perspective that, along with my background, experience, and proven ability in performing the duties and responsibilities of a Court Attorney-Referee, prepares me to undertake a career as a judge.

Thank you for your consideration.

The Office of the General Counsel (“Office”) provides legal advice and guidance to the Board of Elections in the City of New York (“Board”) on a wide range of matters relating to ballot access, the conduct of elections, and agency administration.

ADMINISTRATION

The Office recommends revisions of formal Board policies and procedures to ensure compliance with applicable statutes and regulations. The Office provides legal advice and guidance to Board staff as requested. The Office acts as a liaison with the New York City Conflicts of Interest Board with respect to the administration of applicable conflicts of interest provisions found in Chapter 68 of the New York City Charter.

BALLOT ACCESS

The Office drafts, for consideration and adoption by the Commissioners of Elections, all election calendars and the proposed Rules for Designating and Independent Nominating Petitions for each election cycle. The Office also oversees all aspects of the process for candidate filing and Board review of Designating and Nominating petitions, cover sheets and/or certificates. The Office maintains a good working relationship with the New York State Office of Court Administration with respect to the Judiciary’s activities in connection with the electoral process. In addition, the Office provides guidance and support for the conduct of the canvass of votes mandated by Article 9 of the Election Law and the Board’s Policies and Procedures.

COMPLIANCE ACTIVITIES

The Office advises the Commissioners on all elements of the Board’s legal compliance with all applicable statutory and regulatory requirements. Any proposed change in election administration affecting voters is reviewed by the Office before being presented to the Commissioners for approval. The Office acts as the Board’s liaison with other governmental regulatory and investigatory agencies, including the United States Department of Justice, the local United States Attorneys’ offices, the New York State Attorney General’s Office, the District Attorneys of the five counties within the City of New York, the New York City Department of Investigation, and the Inspectors General for various City agencies.

LEGISLATIVE ACTIVITIES

The Office regularly monitors all legislative and judicial actions that impact election administration and advises the Commissioners on all legal developments, including statutory compliance with City, State, and Federal mandates related to the Voting Rights Act, the Military and Overseas Voters Empowerment (MOVE) Act, the Help America Vote Act (HAVA), the New York State Election Law, the New York City Charter, and related judicial directives. In addition, the Office drafts for

consideration by the Commissioners the Board's annual recommendations for revisions in the New York State Election Law for presentation to, and consideration by, the New York State Legislature and the Governor.

LITIGATION

The Office acts as the Board's principal point of contact with the New York City Law Department, which usually represents the Board in all litigation matters involving the Board of Elections, its operations, and personnel. Throughout 2021, the staff of the Office assisted the assigned Assistant Corporation Counsels in litigating various matters, including those related to ballot access, poll site designations, poll site accessibility, voter registration systems, employee discipline as well as various tort claims against the Board. In addition, the Office represents the Board before various administrative tribunals.

PERSONNEL MATTERS

Section 3-300 of the New York State Election Law empowers the Commissioners to appoint and remove at their discretion all employees of the Board. In accordance with the collective bargaining agreement entered into by the Commissioners and Local 1183 of the Communications Workers of America, AFL-CIO, the Office conducts all administrative hearings required under that agreement for Board employees. It is also responsible for resolving employee disciplinary matters prior to a formal hearing through negotiation, pursuant to the direction of the Commissioners of Elections and the agreement of Local 1183.

FREEDOM OF INFORMATION LAW

The Office receives, processes, and compiles agency records sought by the public under the New York State Freedom of Information Law (FOIL). In collaboration with the appropriate Board staff, the Office coordinates the photocopying of records, gathering of electronic documents for transmittal, and scheduling of physical inspections of original documents by those individuals and entities seeking such public records. In addition, prior to its release, the Office reviews and redacts any information contained in the public records which by law are exempt from disclosure. It also processes any appeals for submission to the Commissioners of Elections.