

Dutchess County Bar Association

Judicial Screening Questionnaire

1. Full Name: David S. Zuckerman
2. Identify the Court for which you are a candidate and state whether you are a candidate for election or appointment: NYS Supreme Court, 9th Judicial District, Elected
3. List the political party or parties which are supporting your candidacy, or of which you are seeking nomination: Democratic, Conservative
4. List in reverse chronological order all employment and periods of unemployment since graduation from law school. Please feel free to continue on an additional page or attach a resume or CV.

Name of Employer	Location	Dates of Employment	Job Title
See Attached Resume			

HON. DAVID S. ZUCKERMAN

Chambers

Richard J. Doranco Courthouse
111 Dr. Martin Luther King, Jr., Boulevard
White Plains, NY 10601

EDUCATION

- Legal **BOSTON UNIVERSITY SCHOOL OF LAW**, Boston, Massachusetts
Degree: J.D. May, 1982
Activities: Boston University International Law Journal
Case and Note Editor
- Pre-Legal **BINGHAMTON UNIVERSITY**, Binghamton, N.Y.
Degree: B.A. May, 1979
Honors: New York State Regents Scholar

LEGAL EMPLOYMENT

- 2022-present **WESTCHESTER COUNTY SUPREME COURT**, White Plains, NY
Acting Justice of the Supreme Court. Handled hundreds of civil matters, including broad range of motions and emergency applications.
- 2019-2021 **WESTCHESTER COUNTY COURT**, White Plains, New York
County Court Judge, Acting Justice of the Supreme Court. Presided over hundreds of felony matters from arraignment to plea/verdict. Handled numerous Article 78 proceedings.
- 2016-2018 **ROCKLAND COUNTY COURT**, New City, New York
County Court Judge. Handled hundreds of post-indictment matters from arraignment to plea/verdict.
Acting Justice of the Supreme Court. Took over case load of over six hundred civil matters.
- 2015 **WESTCHESTER COUNTY SUPREME COURT**, White Plains, NY
Acting Justice of the Supreme Court, Acting Surrogate. Handled hundreds of civil matters, including numerous civil trials, to settlement/verdict.
- 2013-2014 **WESTCHESTER COUNTY COURT**, White Plains, New York
County Court Judge, Acting Family Court Judge. Handled hundreds of felony matters from arraignment to plea/verdict. Presided over hundreds of Family Court matters including all Westchester County Juvenile Delinquency Petitions (2013 only).

HON. DAVID S. ZUCKERMAN

- 2008-2012 **TOWN OF NEW CASTLE**, Chappaqua, New York.
Town Justice. Elected to preside over all matters before the court including criminal, civil, landlord-tenant and code violation matters. Responsibilities include handling all cases, from inception to final disposition (including trials), supervision of court staff, and extensive legal research.
- April, 2008-
Dec., 2012 **ACTING CITY AND TOWN JUDGE/JUSTICE**
Appointed to preside over all matters before the court on an interim basis to replace unavailable judges. Duties include presiding over criminal, civil, landlord-tenant and code violation matters. Responsibilities include handling all cases, (including trials) supervision of court staff, and extensive legal research.
- CITY OF YONKERS**, Yonkers, NY, January, 2009 - 2011
CITY OF WHITE PLAINS, White Plains, NY, January, 2009 - 2011
CITY OF MOUNT VERNON, Mount Vernon, NY, Aug., 2008 - 2011
TOWN OF YORKTOWN, Yorktown Heights, NY. April, 2008 - Sept., 2008
- 1986-2012 **ZUCKERMAN & CRUZ**, Mount Kisco, New York and Bronx, New York
Founding partner of a general practice law firm with offices in Westchester and Bronx Counties specializing in criminal defense litigation. Appointed to numerous fiduciary positions including Committee, Conservator, and Guardian ad Litem.
- 1992-2007 **TOWN OF NEW CASTLE**, Chappaqua, New York
Town Prosecutor. Investigated and prosecuted violations of the Town Code; advised local police and code enforcement officers; represented municipality in local court.
- 1987-1989 **CIVIL COURT OF THE CITY OF NEW YORK**, Bronx, New York
Arbitrator. Arbitrated claims filed with the court by taking testimony, examining evidence, and filing decisions.
- 1986 **MERCY COLLEGE**, Bronx, New York
Adjunct Lecturer. Taught undergraduate Business Law course to business majors. Prepared lectures and examinations; graded written submissions.
- 1982-1986 **BRONX COUNTY DISTRICT ATTORNEY**, Bronx, New York
Assistant District Attorney. Intensive litigation experience including trials, pre-trial hearings, over 100 Grand Jury presentations, and extensive motion practice.

BAR ADMISSIONS

New York State Supreme Court, 1983
United States District Court for the Southern District of New York, 1984
United States District Court for the Eastern District of New York, 1984
United States Supreme Court, 1990

PROFESSIONAL ASSOCIATIONS

New York State Bar Association
Westchester County Bar Association
Westchester County Magistrate's Association
Westchester County Women's Bar Association
Justice Brandeis Westchester Law Society
Westchester County Domestic Violence Council

VOLUNTEER WORK

- 2017-present **WESTCHESTER COUNTY DOMESTIC VIOLENCE COUNCIL**
Member of diverse group of stakeholders dedicated to addressing domestic violence issues throughout Westchester County.
- 2005- 2019 **CHAPPAQUA VOLUNTEER AMBULANCE CORPS**, Chappaqua, New York
Emergency Medical Technician. Volunteer EMT for town-wide ambulance service on call to provide Basic Life Support and other emergency medical assistance throughout the town (2005-2013).
Director. Volunteer member of the Board of Directors (2014 - 2021).
- 1999-2012 **APPELLATE DIVISION, FIRST DEPARTMENT - ASSIGNED COUNSEL PLAN SCREENING COMMITTEE**, New York, New York
Evaluate attorney applications for assigned counsel designation, interview applicants, investigate individual applicants' background and determine disciplinary action for panel members.
- 1996-2007 **CIVIL COURT OF THE CITY OF NEW YORK**, Bronx, New York
Small Claims Arbitrator. Arbitrated claims filed with the court by taking testimony, examining evidence, and filing decisions.
- 1991- 2005 **NEW CASTLE DRUG ABUSE PREVENTION COUNCIL**, Chappaqua, N.Y.
Chairman (1993-1996), **Secretary** (1991-1992). Volunteer in organization chartered by the Town of New Castle. Mission is to eliminate use of illegal drugs, including underage drinking, from the community.

HON. DAVID S. ZUCKERMAN

- 2000 **NEW YORK LAW SCHOOL**, New York, New York
Judge, Moot Court Program. Sat as an appellate judge in moot court program where students presented oral arguments. Evaluated oral skills.
- 1995-1996 **HORACE GREELEY HIGH SCHOOL**, Chappaqua, New York
Legal advisor/mentor for high school students participating in state-wide mock trial competition
- 1993 **PACE UNIVERSITY SCHOOL OF LAW**, White Plains, New York
Judge, Moot Court Program. Sat as an appellate judge in moot court program where students presented oral arguments. Reviewed briefs and evaluated written and oral skills.
- 1989-1990 **NEW YORK STATE JUDICIAL SCREENING COMMITTEE**, New York
Assistant Counsel. Prepared written report for the committee and governor regarding application of judicial candidate; examined written decisions and interviewed attorneys.
- 1987-1990 **WHITE PLAINS CITY COURT**, White Plains, New York
Small Claims Arbitrator. Arbitrated claims and inquests referred by the court; made findings of fact and law; submitted written decisions.

PUBLICATIONS

Omitting the Constructive Possession Instruction: is the defendant prejudiced? NYSBA Judicial Dispatch, Vol. 5, No. 1.

Judging the Judge, NYSBA Judicial Dispatch, Vol. 4, No. 1.

Coercive Conduct by a Criminal Defendant: What's a Judge to Do? NYSBA Judicial Dispatch, Vol. 3, No. 1.

When the Inadmissible is Admissible in Criminal Trials: Completing the Narrative. Westchester Women's Bar Association Newsletter, February, 2021.

When Criminal Defense Counsel Has a Conflict of Interest: Musings on the Competing Constitutional Concerns, Westchester Bar Journal, Vol. 46, No. 1.

5. Have you ever been issued a license, other than a marriage license, driver's license, license to practice law or license as a notary public? If yes, please describe the license and list the dates of its initial issuance and its last renewal:

I was a NYS licensed EMT approximately 2005 – 2020.

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

7. College and professional schools (other than law schools) attended:

School	Major/Course of Study	Dates Attended	Date of Graduation
SUNY Binghamton	Poli Sci/History	9/75 – 5/79	May 27, 1979

8. Law Schools Attended:

School	Location	Dates Attended	Date of Graduation
Boston University School of Law	Boston, MA	9/79 – 5/82	5/16/1982

9. List all courts in which you are admitted or have ever been admitted to practice, along with the date of admission for each: New York State – March 23, 1983

USDC, Southern District – September 3, 1984

USDC, Eastern District – September 4, 1984

United States Supreme Court – April 16, 1990

10. List all areas of law in which you have concentrated or have had substantial experience for any sustained period of time: Judiciary, Litigation, Criminal

11. FOR ATTORNEYS: Have you complied with all registration requirements for lawyers, including Continuing Legal Education, in the state of New York and any other jurisdiction in which you are licensed to practice law? If no, please describe the circumstances:

12. FOR JUDGES: Have you attended the mandatory Judicial Ethics Training courses offered at the Judicial Institute? If no, please provide the dates of any such courses for which you are registered to attend:

Yes - June, 2022

13. List any bar associations or professional organizations that you are a member of. If you have served in a leadership capacity for the organization, please also include the position you held: NYS Bar Association, Westchester County Bar Association, Westchester County Women's Bar Association, Westchester County Black Bar Association

14. List any community service activities you participate in: Westchester County Domestic Violence Council,

15. Volunteer EMT – Chappaqua Volunteer Ambulance Corps,

16. Chair – New Castle Drug Abuse Prevention Council,

17. Appellate Division, First Department – Assigned Counsel Plan Screening Committee, Assistant Counsel - New York State Judicial Screening Committee

18. Have you written any articles for publication? If yes, please give the name and date of the publication and title of each article:

New York State Bar Association "Judicial Dispatch:"

Vol. 5, No. 1 "Omitting the Constructive Possession Instruction: Is the defense prejudiced?"

Vol. 4, No. 1 "Judging the Judge"

Vol. 3, No. 1 "Coercive Conduct by a Criminal Defendant: What's a Judge to do?"

(Cont'd. on next page)

Westchester Women's Bar Association Newsletter, February, 2021 "When the Inadmissible is Admissible"

Westchester Bar Journal, Vol. 46, No. 1 "When Criminal Defense Counsel Has a Conflict of Interest"

19. Have you had any teaching experience, including serving as a presenter for Continuing Legal Education programs, in law or related fields? If yes, please list:

I have taught judges many times at the NYS Judicial Institute.

I have lectured to the Westchester County Magistrates Association

I taught Business Law to undergraduate business majors at Mercy College

20. Have your qualifications for public office previously been reviewed by any bar or other professional association? If yes, please list the organization, date of review and findings of the organization:

2012 – Westchester County Bar Association in connection with my candidacy for Westchester County Court

21. FOR ATTORNEYS: Attach a list of five cases in which you have actively and substantially participated in that you feel best represent the scope of your work. Please include the title of the case, the index or docket number, the court in which the case was heard and a brief description of the case.

22. FOR JUDGES: Attach a list of five opinions, trials or appeals that you feel best represent the scope of your judicial experience. Please include the citation for each (if published) or a brief description of the nature of the case (if not published). See attached

23. FOR ALL CANDIDATES: Please include any additional information which is reasonable to expect our membership would want to know when considering your qualifications for the office you seek. I have been a judge for fifteen years. I hope to continue to provide excellent judicial service to the public and treat all who come before me with dignity and respect.

22. A list of five opinions, trials or appeals. Please include a citation for each (if published) or a brief description of the nature of the case (if not published).

Thomas v Empress Ambulance Service - Motion to Dismiss Complaint Granted

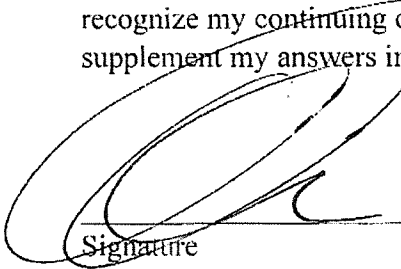
Santiago v Hanley Group, Inc. - Motion to Strike Note of Issue and Summary Judgment Partially Granted

Wilmington Savings v DeRicco - Summary Judgment Granted

Deutsche Bank v Bottiglieri - Summary Judgment Denied

Morales v New Rochelle - Petition to File Late Notice of Claim Dismissed

I acknowledge by my signature that the answers I have given are true and complete and recognize my continuing obligation during the evaluation process to correct and supplement my answers in order to ensure that they remain true and complete.



Signature

9/1/22

Date