



## BROWARD COUNTY HISPANIC BAR ASSOCIATION

### JUDICIAL CANDIDATE QUESTIONNAIRE

1. Full Name: Andrea Ruth Gundersen
2. Current County of residence. Broward
3. Date and place of birth. April 5, 1956, Boston, MA
4. Does your campaign have a website or Facebook page? If so, please list it. Both: Website: AndreaRuthForJudge.com FB: Andrea Ruth Gundersen for Judge
5. List the colleges and law schools you have attended, including your dates of attendance and degrees awarded. 1987 -BOSTON UNIVERSITY -- BACH. OF SCIENCE BUS. ADMIN *Cum Laude*  
1992 – NOVA UNIVERSITY SCHOOL OF LAW -- JURIS DOCTORATE
6. Have you ever served in the military? NO
7. List where you have been employed since graduation from law school, including dates employed, your position and the nature of your employment responsibilities. See Attached CV
8. Have you ever been arrested? NO
9. Have you ever been convicted of a crime? NO
10. What is the general nature of your practice? Litigation. Indicate areas of practice in which you concentrate or concentrated? Family Law, Domestic Violence, Dependency, Delinquency, Criminal Law and Family Mediation
11. If you are currently a judge, what type of cases do you typically preside over in your court? N/A
12. If you are currently a judge, have any of your decisions ever been appealed and overturned? How many times in the last two (2) years? When and what case? N/A



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13. What percentage of your litigation or trial experience was related to:

- a. Civil? 90%
- b. Criminal? 10% (Both as a CLI w/State Attny office and Prvt. Criminal Defense)

14. How many cases have you tried to verdict? 25. Family, Dependency, Domestic Violence(Civil) and Delinquency do not have jury trials and therefore do not have "verdicts" so I have not included them in the count which to conclusion would number over 150.

15. Describe three of the most significant litigated matters, which you personally handled and give the citations thereto, if the cases were reported.

A. I represented the maternal aunt of an 18 month old little girl, whose deceased mother had been arrested for drugs prior to her overdose. While incarcerated, the mother informally signed a letter allowing a "non-relative", an alleged friend, to care for her daughter while she was in jail. The "non-relative" instead filed a fraudulent Chapter 751 Extended Family Custody Petition, while the mother was still incarcerated, fraudulently signing her name as the parent Consent Affidavit consenting to the temporary custody, and was granted temporary custody of the child. When the mother was released from jail and had completed her rehab, she tried to get her daughter back, without any legal advice or representation, but the "non-relative" attempted to get the mother rearrested, which caused the mother to lose all hope and within 3 days of her inability to get her daughter back, she overdosed on drugs and died.

When the family of the deceased mother went to the "non-relative" to have the child returned to her family, the woman told the family the child was "her child" and she was not returning the child. She also refused to allow the family any contact with the child. By the time my client, the maternal aunt came to me, she had already spent several months trying to resolve the issue on her own, with no success. Within a week I was before the court and had filed a motion to vacate the temporary custody order. The court subsequently ordered memorandums of law and within 3 days of submission of my memorandum on law, the court granted my motion to vacate, following verbatim the legal reasoning in my memorandum of law, and the child was returned to my client that day. I completed the subsequent family adoption within a month and the child now has a loving home with two parents and siblings.

B. In another case, my client, whom I had successfully represented in the original paternity case, had had her child removed by DCF on a false child abuse allegation filed by the child's father in Palm Beach County, in an effort to gain custody of the child. I was able to successfully get the Dependency case



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dismissed in Palm Beach County when the court appointed psychologist concluded that it was the father, whom DCF had placed the child under a shelter order with, who was “coaching” the child to make the false allegations. I subsequently had to litigate the modification case, filed by the father in Broward County, and ultimately prevailed, having the child returned to my client, the mother. The father was prohibited from visiting with the child without supervision, to protect the child from any further psychological abuse.

- C. Another most recent case involved a severely mentally ill mother, who suffered from bi-polar disorder but refused to take her medication. She attacked my client, the father, with a knife, while he was holding their two week old newborn child. I was able to obtain a Domestic Violence injunction on behalf of the father and child, which provided for supervised visits with the mother, until such time that she could prove to the court that she was stabilized on her medication. I also represented the husband/father in the subsequent Dissolution of Marriage case and was able to obtain a resolution to the case that established protections for the minor child, while affording the mother the opportunity to demonstrate her compliance with her treatment for her mental illness, with a supervised timesharing schedule that continued to cultivate the parent/child relationship.

**16. Why do you want to be a judge (circuit or county)?**

I have always strived to make a positive difference in the lives of those I have come in contact with. In my professional life I have helped families in turmoil to navigate through the legal system and at times helped them avoid entering the legal system. I have also worked to improve the professionalism in the practice of law. I understand that as Judge, I would serve the community and that the decisions I make may have far reaching consequences that impact not only the person standing before me, but their family, friends, neighbors and others in the community. I believe, and I have been encouraged by many colleagues, that as a Judge I will be able to apply my experience, knowledge of the law and judgment to help make a difference in the lives of a broader base of the community. Those who come into my courtroom will be respected and assured of a fair administration of justice.

- 17. What qualities do you believe are most important in a judge? Legal expertise, professionalism, keen listening and communication skills, time management, stress management, crisis management, business management skills and problem solver, Explain how you have demonstrated that you possess those qualities.**



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Throughout my professional career I have gained a broad range of knowledge of the law, the rules of procedure and the practical aspects of the operations of a courtroom in both the civil and criminal arena. As a litigation attorney, I have spent a large part of my practice in court and I have been able to observe how judges in Broward, Dade, and Palm Beach Counties run their respective courtrooms and I have seen what works and what does not work. As a litigator, with experience in hundreds of jury trials and bench trials I can apply the rules of evidence and rules of procedure to afford the parties due process. As a Certified Family Mediator, I have acquired the skills of being a good listener and problem solver.

In addition to my legal experience, my experience as a single parent, working full time while I went to school part time to earn my Bachelor Degree and subsequently going onto law school, I gained skills in stress management, crisis management and time management that have assisted me in working through any situation. Prior to attending law school I was an administrator at a hospital where I sharpened these same skills and I have carried these life skills into the management of my successful professional law practice for the past 17 years. As a mother and grandmother it has required me to acquire keen listening skills, patience, and to exercise tolerance when called upon to act not only as a judge, but as a counselor, teacher, mediator and problem solver. Through my life I have become a good listener able to make decisive decisions and to listen with an open mind and a cool head.

**18. Why do you believe that you are the best candidate for the seat you are running for?**

Our Family and Dependency Court bench are currently facing a crisis, and the seat I am running for is one of the soon to be retired judges in dependency court. We are about to lose the last of our most seasoned judges in these two divisions to mandatory retirement within the next two years, leaving us with judges coming from a criminal law background or a commercial litigation background making life altering decision for our families and our children, which is an entirely different mindset. I am running for Circuit Court Judge to ensure that there is at least one judge with experience working with families in turmoil, abused and neglected children and domestic violence victims to replace them. I am the only candidate in Group 9 that has over 23 years of experience working directly with these families in turmoil, abused and neglected children and domestic violence victims and the citizens of Broward County deserve to have a judge who understands and has experienced the difference.

**19. Describe your civic activities and community involvement for the past five (5) years, listing what years you participated in each activity or were involved.**

Since 2014 I have served on the Diversity Committee for the Broward County School Board and the Broward County Commission on Status of Women, Advisory Board. Since 2015, I serve on the Board of Directors of the Mt. Olive Development Corporation, Inc. (MODCO)



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From 2010 through 2011 I served on the organizing committee, with Bill Kling, which helped to create the first Veteran's Court in Broward County. Since 2013 I have worked with the Mission United Veteran's Pro Bono program to recruit and mentor volunteer attorneys to provide free legal services to veterans and their families.

Since 2008 I have been a volunteer with Broward Lawyers Care and LegalAid Services of Broward County on the Advice & Counsel Hotline. As Pro Bono liaison for the South Broward Bar Association, I also recruit other attorneys to volunteer for the "Hotline" which provides free legal advice to those economically challenged individuals that Legal Aid is unable to provide full representation services for due to budgetary constraints.

In 2013 I was appointed by the Chief Judge Peter Weinstein to the Professionalism Panel Committee that helped draft the Administrative Order creating the 17<sup>th</sup> Circuit's Professionalism Panel, to oversee unprofessional conduct of attorneys and since 2014 I have served as the Vice-Chair of the Professionalism Panel for the 17<sup>th</sup> Judicial Circuit.

Since 2010, I have worked with the South Florida Joint Civility Project (Got Civility) which is actively working on improving the civility and professionalism within the practice of law through education, communication and programs to deter unprofessional conduct throughout South Florida

Since 2008, as a Justice Teaching Attorney Volunteer for several years now, I do presentations to middle and high school students regarding the law, and I have been able to make a difference in children's lives. It is a rewarding experience to help to educate our youth.

Since 2010, I have conducted an annual courthouse tour for the Plantation Seminole Middle School DECAL students giving them an opportunity to observe courtroom proceedings, participate in CSI lab demonstrations, and participate in mock trials and other demonstrations and presentations.

Since 2008, as a guest lecturer at Nova Southeastern School of Law for the past 8 years now, I have lectured to law students on the topics of Professionalism, Women in the Law, Family Law, and Mediation. Through my presentations I am able to emphasize the importance of practicing with integrity and professionalism no matter what area of law you practice. I am also a member of the Phi Delta Phi Legal Honor Society.

Since 2014 I serve as on the Board of Directors of the Dania Beach Lions Club, which provides numerous services to the community through our "Paws for Patriots" project to raise funds to



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provide service dogs to disabled veterans, our Annual “Back to School Backpack” project that provides school supplies to economically disadvantaged students, our Hearing Bank and Eye Vision Bank which provides screening and evaluation for glasses and hearing aids to the community, to name just a few of our numerous community projects.

**20. Please list noteworthy professional or personal accomplishments.**

<b>2016</b>	<b>Florida Super Lawyer – Thomson Reuters Florida Legal Elite for 2016-Florida Trend Magazine</b>
<b>2015</b>	<b>Florida Super Lawyer – Thomson Reuters Florida Legal Elite for 2015 – Florida Trend Magazine Women Leaders in the Law- Fortune Magazine</b>
<b>2014</b>	<b>Florida Legal Elite for 2014 – Florida Trend Magazine</b>
<b>2013</b>	<b>Florida Legal Elite for 2013 –Florida Trend Magazine</b>
<b>2012</b>	<b>Joseph J. Carter Professionalism Award – Broward Cnty. Bar Assoc.</b>
<b>2012-present</b>	<b>AV Preeminent® Peer Review Rated Marital and Family Law attorney</b>

**21. Please list the federal and state courts where you are admitted to practice. FLORIDA BAR**

**22. How many times did you take the Florida Bar Exam? ONCE**

**23. Have you ever failed Bar exams in any state? NO If so, when and where?**

**24. Have you ever been investigated by a State Bar grievance committee or by the State Commission on Judicial Conduct? NO**

**25. Have you ever been disciplined or reprimanded for your conduct as a lawyer or judge? If the answer is yes, please explain? NO**

**26. Have you or your law firm ever been sued by a client? NO**

**27. Please discuss your view/opinion of proper judicial temperament.**

**A judge should be fair and impartial and treat all that come into the court with respect. A judge should have an even temperament, with an open ear to afford all sides an opportunity to present their case and be heard. When you treat someone with respect and**



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understanding, even if they may not like the result, they will remember how you made them feel.

28. If you are seeking election or re-election to a criminal court, discuss your view of plea bargains and when they should and should not be accepted. N/A
29. Tell us about any plans you have to improve the administration of the court or make it more efficient.

The problem of clogged dockets also stems from a high rate of Self-represented filings in the civil divisions, including the family division, which consumes a larger amount of court time since self-represented individuals are not as familiar with the legal procedures so they require more court time to explain the process. This might be alleviated by having a Self-Represented "clinic" within the courthouse or through Broward Legal Aid, to assist self-represented individuals in completing and filing the pleadings. This program or clinic could provide limited legal advice to those Self-Represented individuals to better understand the legal process and receive guidance in representing themselves: much like the current Legal Aid "Hot Line" that provides free legal advice over the telephone. In addition, it could also provide guidance for them to understand the consequences when the complexity of a case warrants them obtaining competent counsel.

Insuring the constitutional mandate of Due Process is of the utmost importance whether it be providing legal advice to those who cannot afford an attorney, so that they understand court proceedings, or to insure translation services for those, including witnesses and the parties, who do not speak the language. Broward County needs on call translators for all divisions, provided as a courtesy, as in Dade County. It is our duty to assure that the courts are not a place for people to fear, but a place that the community can have faith the courts will not let them down.

30. Have you ever taught any law school courses or any continuing legal education courses? YES  
If so, describe the extent and nature of those teaching experiences.

I am a guest lecturer at Nova Southeastern University School of Law and spoken on the topics of Professionalism, Women in the Law, Family Law and Mediation. I also created and taught a CLE on "High Conflict Co-Parenting " to mental health professionals and attorneys.

31. List any significant pro bono work completed since graduating from law school.

As the Pro Bono Liaison for the South Broward Bar Association, I not only cover the Broward Lawyers Care Legal Aid "Hot Line" that is operated once a week, I recruit other attorneys to cover the hotline;



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I worked on the organizing committee that helped to create the first Veteran's Court in Broward County approximately 5 years ago. I currently work with the Mission United Veteran's Pro Bono program handling cases as an advocate, mediating cases and also recruiting and mentoring volunteer attorneys to provide free legal services to veterans and their families. Having grown up in the Vietnam era, I remembered the disgraceful way our veterans were treated when they returned home. I never forgot that experience and when the Mission United Veteran's Pro Bono program was being developed, I wanted to make a difference for veterans who have given so much to our country.

I provide mentoring to Broward Lawyers Care attorneys who take a pro bono case through legal aid in the areas of family law and I am also an Attorney Ad Litem with the Tracy McPharlin Pro Bono Initiative.

I serve as a Guardian Ad Litem in Domestic Violence cases to look out for the best interest of the children in cases involving domestic violence. I also represent clients in Domestic Violence court who would otherwise not be able to afford an attorney to protect them and their children;

I served on the South Florida Joint Civility Project which is actively working on improving the civility and professionalism within the practice of law through education, communication and programs to deter unprofessional conduct throughout South Florida.

I chaired the Broward County Bar Association, Professionalism Committee for several terms and currently serve on the Committee. I developed a mentorship program for new attorneys, practicing 5 years or less, to have the opportunity to be matched with a seasoned mentor attorney to help them to learn to practice with integrity and professionalism. Providing mentorship to the next generation of attorneys improves professionalism in the practice of law which ultimately provides for better service to the community.

As Chair of the New Lawyers Orientation for the last two years, I brought the idea to the 17<sup>th</sup> Judicial Circuit to have an orientation to welcome each year's group of newly licensed attorneys in Broward County with the emphasis on professionalism. My efforts in both the mentorship program and the New Lawyers Orientation have helped to guide new attorneys to practice with professionalism and also increased the number of cases that Broward Legal Aid has been able to assign through their programs which ultimately benefits the citizens of Broward County .



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- 32. List any leadership positions, or participation in any committees in voluntary bar associations and/or professional societies, which you believe to be of particular significance (e.g. judicial selection committees, disciplinary committees, grievance committees, etc.).**

I am currently the Vice President of the South Broward Bar Association and Immediate Past President of the West Broward Bar Section. I served on the Board of Directors of the Broward County Bar Association (BCBA) from 2010-2012. I have been a member of the BCBA Professionalism Committee since 1996 and have chaired the committee for several terms. I created a mentorship program for the Broward County Bar Association, to help new attorneys learn to practice with integrity and professionalism which ultimately benefit the citizens of the community. I currently serve on the Bench & Bar Committee and served on the Bench & Bar Administrative Orders & Local Rules subcommittee and Chaired a subcommittee on the Bench & Bar Convention Committee. I also served on the Board of Directors of the Association of South Florida Mediators & Arbitrators.

I was appointed by the Chief Judge Peter Weinstein to the Professionalism Panel Committee and helped draft the Administrative Order creating the 17<sup>th</sup> Circuit's Professionalism Panel, to oversee unprofessional conduct of attorneys. I am currently serving as the Vice-Chair of the Professionalism Panel for the 17<sup>th</sup> Circuit Professionalism.

From 2012- 2014 I created and Chaired of the New Lawyers Orientation which welcomes newly licensed attorneys each year to the 17<sup>th</sup> Circuit with an emphasis on professionalism. Each year I convened a panel of the Administrative Judges to discuss the "do's and don'ts" in their divisions, as well as having the Voluntary Bar Associations welcome the new attorneys into their legal community. The Orientation program encourages pro bono service and representatives from Legal Aid have stated that my program is one of the most successful programs they participated in for assigning pro bono cases.

Working on and Chairing the Broward County Bar Association, Professionalism Committee, I created a mentorship program to afford attorneys, practicing 5 years or less, with the opportunity to be matched with a seasoned mentor attorney to help them to learn to practice with integrity and professionalism. Providing mentorship to the next generation of attorneys improves professionalism in the practice of law which ultimately provides for better service to the community.

As Pro Bono liaison for the South Broward Bar Association, I also recruit attorneys to volunteer for the "Hotline" which provides free legal advice to those economically challenged individuals that Legal Aid is unable to provide full representation services for due to budgetary constraints.



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As a member of the Inns of Court I have served as Group Leader to organize and coordinate group presentations to the members. As a Master of the Bench in the Inns of Court, the organization emphasizes professionalism and mentorship.

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

Since 2014 I have served on the Diversity Committee for the Broward County School Board and the Broward County Commission on Status of Women, Advisory Board. I also serve on the Board of Directors of the Mt. Olive Development Corporation, Inc. (MODCO)

I served on the organizing committee, with Bill Kling, which helped to create the first Veteran's Court in Broward County. I also work with the Mission United Veteran's Pro Bono program to recruit and mentor volunteer attorneys to provide free legal services to veterans and their families.

I am a volunteer with Broward Lawyers Care and LegalAid Services of Broward County on the Advice & Counsel Hotline. As Pro Bono liaison for the South Broward Bar Association, I also recruit other attorneys to volunteer for the "Hotline" which provides free legal advice to those economically challenged individuals that Legal Aid is unable to provide full representation services for due to budgetary constraints.

I was appointed by the Chief Judge Peter Weinstein to the Professionalism Panel Committee that helped draft the Administrative Order creating the 17<sup>th</sup> Circuit's Professionalism Panel, to oversee unprofessional conduct of attorneys and have subsequently been elected as the Vice-Chair of the Professionalism Panel for the 17<sup>th</sup> Judicial Circuit.

I work with the South Florida Joint Civility Project which is actively working on improving the civility and professionalism within the practice of law through education, communication and programs to deter unprofessional conduct throughout South Florida

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For the past 6 years I have conducted an annual courthouse tour for the Plantation Seminole Middle School DECAL students giving them an opportunity to observe courtroom proceedings, participate in CSI lab demonstrations, and participate in mock trials and other demonstrations and presentations.

As a guest lecturer at Nova Southeastern School of Law for the past 8 years now, I have lectured to law students on the topics of Professionalism, Women in the Law, Family Law, and Mediation. Through my presentations I am able to emphasize the importance of practicing with integrity and professionalism no matter what area of law you practice. I am also a member of the Phi Delta Phi Legal Honor Society.

**34. What is your judicial philosophy?**

I believe that everyone who comes before the court deserves to be respected and have an opportunity to be heard. As a judge, we are there to interpret and apply the law not make the law, which is the responsibility of the legislature.

**35. Describe what contributions you have made to the Hispanic community in the past five (5) years.**

My work with Broward LegalAid with the Advice Hotline has provided legal advice to many individuals in the Hispanic community that could not afford legal services. Additionally, the community programs that I have participated in with the Dania Beach Lions Club, through the Back to School Backpack Program and the Southeast Florida Spina Bifida Association have provided school supplies and funds to members of the Hispanic community.

**36. Are you a Member of the Broward County Hispanic Bar Association? No**

**37. As a prospective judge, or as a current Judge, what do you consider your greatest strengths and weaknesses?**

**Strengths:**

As a single parent, with only a high school education, and a two and a four year old to raise I had to develop and maintain a strong work ethic, commitment to my family, integrity and stability. I worked my way through college and then law school. In my professional practice, I work with people in a heightened level of emotion, in cases that are emotionally charged. At times I have been confronted with ethical dilemmas when a client has made demands that would not live up to the professional code of conduct or my standards of professional behavior. In those instances, I have abided by both the Florida Bar ethical rules and the local



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**Codes of Conduct and counseled my clients accordingly. I have prided myself on being straightforward when dealing with opposing counsel with a focus on resolution.**

**Throughout my professional career I have gained a broad range of knowledge of the law, the rules of procedure and the practical aspects of the operations of a courtroom in both the civil and criminal arena. As a litigation attorney with over 23 years of experience, I have spent a large part of my practice in court and been able to observe how judges in Broward, Dade, and Palm Beach Counties run their respective courtrooms and I have seen what works and what does not work. As a litigator, with experience in over 175 jury trials and bench trials and over 700 hearings, I can apply the rules of evidence and rules of procedure to afford the parties due process. As a Certified Family Mediator, I have acquired the skills of being a good listener and problem solver.**

**In addition to my legal experience, my experience as a single parent, working full time while I went to school part time to earn my Bachelor Degree in Business Administration and subsequently going onto law school, I gained skills in stress management, crisis management and time management that have assisted me managing my own law firm for over 17 years and in working through any situation. As a mother and grandmother it has required me to acquire keen listening skills, patience, and to exercise tolerance when called upon to act not only as a judge, but as a counselor, teacher, mediator and problem solver. Through my life I have become a good listener able to make decisive decisions and to listen with an open mind and a cool head.**

**Weakness:**

**I would say my biggest weakness is the inability to say no when there is a need to take action. When I created the mentorship program for the Broward County Bar Association, there was a need and it was not being addressed. As Chair of the Professionalism Committee for several terms, I was able to develop the Mentorship program into a very successful program. I serve on multiple boards and committees, as well as Chair many. I sometimes have taken on more responsibility that others might have, only because there was a need to get the goal**

**38. Why are you the best candidate for the position you are seeking?**

**Our Family bench is currently facing a crisis. In these next two years, our Family and Dependency Court are about to lose three of our most seasons Judges to mandatory retirement, and those are the last of our Judges in Circuit court with over a decade of experience in Family law and Dependency. I am the only candidate in my race, Circuit Court Group 9, that has over 23 years of experience working directly with families in turmoil, abused and neglected children and domestic violence victims and I believe our families and our**



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children deserve to have a judge on day one that understands what they are going through and I hope to fill some of that void.

Throughout my professional career I have gained a broad range of knowledge of the law, the rules of procedure and the practical aspects of the operations of a courtroom in both the civil and criminal arena. As a litigation attorney, I have spent a large part of my practice in court and been able to observe how judges in Broward, Dade, and Palm Beach Counties run their respective courtrooms and I've been able to see what works and what does not work. As a litigator, with experience in over 175 jury trials and bench trials I can apply the rules of evidence and rules of procedure to afford the parties due process with a commitment to treat every individual with respect and dignity.

I have worked tirelessly to improve the professionalism in the practice of law. I have been a member of the Broward County Bar Association Professionalism Committee since 1996 and have chaired the committee for several terms. I created a mentorship program for the Broward County Bar Association six years ago, to help new attorneys learn to practice with integrity and professionalism. I have been an active member of the South Florida Joint Civility Project, working with other voluntary bar associations to improve the professionalism within the practice of law in the South Florida area. I was honored to receive the Joseph J. Carter Professionalism Award in 2012 from the Broward County Bar Association. I have also received an AV Preeminent rating from Martindale Hubbell being rated by my peers to have the highest level of integrity and expertise.

In addition to my experience as a litigation attorney, I am also a Certified Family Mediator and have acquired the skills of being a good listener and negotiator, who is able to problem solve. As a mother and grandmother it has required me to acquire keen listening skills, patience, and to exercise tolerance when called upon to act not only as a judge, but as a counselor, teacher, mediator and problem solver. Through my life I have become a good listener able to make decisive decisions and to listen with an open mind and a cool head.

**ON BEHALF OF THE BROWARD COUNTY HISPANIC BAR ASSOCIATION, THANK YOU FOR YOUR TIME  
AND COOPERATION!**