

MSBA Questionnaire for Judicial Candidates in Contested Races:

1. What is your full name?

Michelle Lowney MacDonald

2. Does your campaign have a website or facebook page? If so, please list it.

www.MacDonaldforJustice.com

facebook.com\macdonaldforjustice

twitter.com\forMNjustice

3. List the colleges and law schools you have attended, including your dates of attendance and degrees awarded.

➤ **J.D. – Suffolk University Law School, Boston, MA. 1986**

➤ **B.A. – Boston College, Chestnut Hill, MA, 1983, cum laude**

➤ **Program of Instruction for Lawyers, Harvard Law School, 1994**

➤ **Moot Court Award; editor Suffolk University Law Journal; founder *Battered Women’s Advocacy Project*, now Family Advocacy Clinic**

4. List where you have been employed since graduation from law school, including dates employed, your position and the nature of your employment responsibilities.

30 years of successful experience as an attorney and mediator in general practice concentrating in the areas of family law; appeals; estate planning and probate avoidance; criminal defense, business, real estate, civil litigation and more.

www.MacDonaldLawFirm.com

➤ **Attorney, MacDonald Law Firm, LLC (2007 – present)**

➤ **Attorney, Kallas & MacDonald (1994 – 2006)**

➤ **Attorney, Steffens, Wilkerson & Lang (1986-1994)**

➤ **Judge, Conciliation/Small Claims Court, Hennepin County (1999 to 2014)**

➤ **Adjunct Referee/Arbitrator, family and civil court (1992-2011)**

Presided over hundreds of small claims and family court cases referred by Judges to the settlement program

➤ **Founder, Family Innocence, a nonprofit dedicated to keeping families out of court: resolving conflicts and injustices peacefully (2011- present)**

www.FamilyInnocence.com

- **Volunteer President, Board Member, FAMILYcourt.com, INC. (2014 – present) Author: Sandra Grazzini-Rucki & the World’s Law Custody Trial www.FAMILYcourt.com**

5. Have you ever been convicted of a crime or publically disciplined by a lawyer or judicial standards board? If so, feel free to provide an explanation.

***Discipline:* I was disciplined for essentially suing a judge, who complained to the lawyer’s board. In researching my appeal to the United States Supreme Court, I learned that countless lawyers in Minnesota and around the country are being disciplined for criticizing judges. (Case no. 17-1457 – Michelle MacDonald v. Lawyers Board of Professional Responsibility)**

I complained to the Board of Judicial Standards after Judge Knutson had me participate as an attorney in a client’s child custody trial in handcuffs, a wheelchair, with no shoes, no glasses, no paper, no pen, no files, missing children – and no client.

This was the day after filed a federal civil rights action against him, on behalf of that client. See Sandra Grazzini-Rucki, et al v. David Knutson, et al, United States District Court no. 0:13-CV-02477-SRN; Eighth Circuit Court of Appeals no. 14-2569; and *Petition for Writ* to the United States Supreme Court, docket no. 15-220.

***Crime:* In September 2014, I was acquitted by a jury of DUI. However, I was convicted of misdemeanor Refusal to Submit to Test and Obstructing Legal Process. I produced a blood test with ZERO alcohol. These convictions were appealed, case no. A14-1981. The Minnesota Supreme Court denied petition for further review on April 27, 2016.**

6. What is/was the general nature of your practice? Indicate any areas of practice in which you concentrate or concentrated.

For 30 years, I have been an attorney in general practice, concentrating in family law, estate planning and probate, including adoptions, child protection, harassment, orders for protection, contracts, business, real estate, civil litigation and criminal defense.

I have been lead counsel on over 60 appeals, including appearances before the Minnesota Supreme Court, and Petitions to the United States Supreme Court.

I am a Rule 114 qualified neutral, and facilitate restorative circles for Family Innocence.

7. What percentage of your practice is/was litigation? **50%**

8. Why do you want to be an appellate judge?

Lower court judges are not being held accountable in their roles. They are regularly failing to uphold the Rule of Law, Constitution and due process which impacts and harms people. Judges are ultimately responsible for what happens in their courtrooms. The people and their lawyers are pressured into settlement in almost every instance. Appellate courts appear to be “rubber-stamping” and finding ways to justify errors of lower court judges. I want to break out of the culture of cookie-cutter and “rigged” cases, and restore individual and family justice.

9. What qualities do you believe are most important in an appellate judge? Explain how you have demonstrated that you possess those qualities:

Love of people. Love of the law. Adherence to the Rule of Law. Common Sense.

Appellate judges judge the law and the Judges. Many of our laws and court orders are unconstitutional. “Harmless” error obstructs due process, and is never harmless. Judges should error on the side of liberty ---with our resources, property and children. America should not be a country that jails more people than any other nation.

Our court culture must change. Due process is not simply providing a “process”. If any step in the process is corrupted or missing, there is no due process.

It is better that 10 guilty men go free, then one innocent man be wrongly convicted ---Benjamin Franklin.

I have 30 years of experience as an attorney, small claims court judge and family court referee. I am an avid researcher and writer of countless legal memorandums and briefs. I have represent thousands of people before hundreds of judges in varied legal matters around the state, including dozens of appeals, and petitions to the United States Supreme Court.

10. Why do you believe you are the best candidate for the appellate judge seat?

It took me 25 years to open my eyes and see that our justice system has evolved into a system of injustice. I am educating others by circulating a petition to revolutionize family court. No more “business as usual.” I will work to restore justice in our courts for the people --and their attorneys, whose job to ensure and restore justice is becoming increasingly impossible.

I will work to implement restorative practices in our legal and judicial system, with leadership roles in the National Association of Community and Restorative Justices, and Restorative Practices International www.rpiassn.org.

As lawyers, we know that court and Judges are unnecessary in 99.9% percent of cases. With countless personalities, policies, rules, regulations, statutes, we can't possibly know or follow all of them.

Together we can integrate Restorative Circles fully ---outside and inside our courts to eliminate a cookie-cutter and bureaucratic system of justice!

I will hold our lawmakers and lower court judges accountable to the people, the lawyers, the Rule of Law, and the Constitution.

Thank you for this opportunity.

Keep the faith,

Michelle MacDonald

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