

Minnesota State Bar Association
Questionnaire for Judicial Candidates in Statewide Contested Races

1. *What is your full name?*

Diane B. Bratvold

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

ReelectJudgeBratvold.com

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

Macalester College, B.A. summa cum laude, 1977-81.

University of Minnesota Law School, J.D. cum laude, 1984-87.

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

- a. **Judge, Minnesota Court of Appeals, March 2016-present; elected in November 2018.** Responsibilities: decide appeals as a member of a three-judge panel after reviewing written arguments, documents, transcripts, and trial exhibits. I also served on the special redistricting panel in 2021 and completed legislative and congressional redistricting based on the 2020 census after conducting public hearings state-wide.
- b. **Judge, Fourth Judicial District, State of Minnesota, September 2014-March 2016.** Responsibilities: decided motions, conducted bench trials, and presided over civil and criminal jury trials and other courtroom proceedings such as criminal arraignments, motions, evidentiary hearings, and sentencing. I served the downtown criminal misdemeanor team, the civil division, and the Brooklyn Center courthouse.
- c. **Shareholder, Briggs and Morgan P.A. (now Taft), May 2007-August 2014. Partner and associate, Rider Bennett LLP, January 2001-April 2007.** Responsibilities: from 2001 until 2014, my law practice focused on civil appeals and advice to clients and trial counsel. I briefed and argued over 125 appeals in state and federal courts, including the Minnesota Supreme Court and Minnesota Court of Appeals, Wisconsin Court of Appeals, Iowa Supreme Court, Iowa Court of Appeals, and the U.S. Courts of Appeal for the Eighth and Ninth Circuits. I also volunteered as a lawyer to clients seeking asylum and unemployment compensation benefits.

- d. **Attorney, Fetterly & Gordon, P.A., October 1987-December 2000.**
Responsibilities: trial, motion, and appellate practice mainly in product liability, class action, and other complex litigation.
- e. **Law clerk, Fetterly & Gordon, P.A., June 1983-September 1987.**
Responsibilities: legal research and writing.

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

No.

6. *What is/was the general nature of your practice? Indicate any areas of practice in which you concentrate or concentrated. (Response limited to 150 words.)*

From 2001-2014, my law practice focused on civil appeals and dispositive motions. I advised and represented clients and consulted with trial counsel in many ways, including preserving issues in the trial court, evaluating district court decisions for possible appeal, perfecting the appeal, writing appellate briefs, and arguing to the appellate courts. My cases ranged from personal injury and wrongful death to contract and shareholder disputes and estate and family litigation.

From 1987-2000, I was a trial lawyer at Fetterly & Gordon and handled complex civil litigation for both plaintiffs and defendants. My practice included advice to clients, investigation (mainly fire cases with deaths, personal injuries, or property damage), motions, settlement negotiations, trials, posttrial motions, and appeals in federal and state courts. I appeared and handled cases in state and federal court including Minnesota, Iowa, Wisconsin, Georgia, Puerto Rico, California, Pennsylvania, Maryland, and Nevada.

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

100%

8. *Why do you want to be an appellate judge? (Response limited to 150 words.)*

I love being an appellate judge. While in private practice, I volunteered many hours in my community and advocated for clients who could not pay me. I left private practice to become a judge. I am starting my eleventh year of service for the judicial branch. I am committed to listening to the concerns of everyone whose cases are decided by the court. I care about providing justice to the people and businesses who come to the Minnesota Court of Appeals. Public service was and is my life-long goal and I am honored to serve the State of Minnesota as an appellate judge.

9. *What qualities do you believe are most important in an appellate judge? Explain how you have demonstrated that you possess those qualities. (Response limited to 250 words.)*

First, an appellate judge should have trial and appellate experience. I have 36 years as a lawyer and judge in the trial and appellate courts and I understand the concerns of clients and attorneys. This experience helps me write opinions so that everyone—lawyers and nonlawyers—can understand the court’s decision. I have authored over 400 opinions for the court and decided over 1200 appeals.

Second, an appellate judge should be respected. I have earned the respect of the legal community, which recently honored me as a distinguished alumnus of the Minnesota Law Review. I was the first sitting judge to be elected as President of the American Academy of Appellate Lawyers. After practicing law for 27 years, the Judicial Selection Commission recommended my appointment to the governor through its merit-selection process.

Third, an appellate judge should be independent so they can decide cases fairly. During my years of legal practice, I represented both plaintiffs and defendants, individuals who were injured as well as companies who were sued. Governor Dayton saw my independence when he appointed me to the bench even though I had represented his opponent, Tom Emmer, in a legal dispute about the 2010 election. In 2018, I was elected by the voters to be an appellate judge. Chief Justice Lorie Gildea showed her confidence in me when she appointed me to the five-member redistricting panel that redrew the legislative and congressional boundaries based on the 2020 census. Both political parties praised the panel’s work as nonpartisan.

10. *Why do you believe you are the best candidate for the appellate judge seat? (Response limited to 250 words.)*

I am the best candidate because I am experienced, respected, and independent. The Minnesota Court of Appeals makes the final decision in 95% of all appeals in the state. We decide about 2000 appeals every year. My record is public and available for everyone to review in the legal opinions that I have written. I am committed to continuing to earn the public’s confidence in the judiciary.

I have been fortunate to be surrounded by the support and wisdom of a family from whom I learned to serve others and care for people in distress. My dad worked on an assembly line making large construction equipment. My mom was an intensive care nurse. I graduated from Columbia Heights High School, worked my way through college, and was the first one in my family to graduate from college. After graduating from law school, I practiced law and raised four children. Professionally and personally, I have received much and have a lot to give. The very best way for me to do that is to continue to serve as an appellate judge.