

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Arch Alfred Moore Capito (also known as Moore Capito)

2. **Position**: State the position for which you have been nominated.

United States Attorney, Southern District of West Virginia

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Babst Calland
300 Summers Street, Suite 1000
Charleston, WV 25301

4. **Birthplace**: State date and place of birth.

1982; Winston-Salem, North Carolina

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Washington and Lee University School of Law; 2009-2011
J.D. – May 2011

Ohio Northern University College of Law; 2008-2009
No degree received.

Duke University; 2001-2005
B.A. – May 2005

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

October 2019 – Present
Shareholder
Babst, Calland, Clements and Zomnir P.C.
300 Summers Street, Suite 1000
Charleston, WV 25301

January 2021 – Present
Board Member (unpaid)
Center for Organ Recovery & Education
204 Sigma Drive
Pittsburgh, PA 15238

January 2017 – December 2023
Member
West Virginia House of Delegates
1900 Kanawha Blvd E
Charleston, WV 25305

December 2017 – October 2019
Director of Land and Corporate Counsel
Greylock Energy LLC
500 Corporate Landing
Charleston, WV 25311

December 2014 – December 2017
Director of Land
September 2011 - December 2014
Corporate Counsel
Energy Corporation of America
500 Corporate Landing
Charleston, WV 25311

February 2014 – January 2017
Board Member (unpaid)
Edgewood Country Club
1600 Edgewood Drive
Charleston, WV 25302

2014 – 2015
Regional Advisory Board Member (unpaid)
The College Summit, West Virginia
100L Faculty Circle
Dunbar, WV 25064

June 2010 – August 2010
Intern (unpaid)

Office of Mayor for the City of New York
City Hall
New York, NY 10007

May 2009 – August 2009
Summer Clerk
Bowles Rice McDavid Graff and Love LLP
600 Quarrier Street
Charleston, WV 25301

December 2007 – September 2008
Advance Officer
United States Department of Defense
1400 Defense Pentagon
Office of the Secretary of Defense
Washington, D.C. 20301

October 2007 – April 2008
Sales Associate
Hudson Trail Outfitters
1101 S Joyce Street, Suite B29
Arlington, VA 22202

July 2006 – August 2007
Advance Team Volunteer (unpaid)
The White House
1600 Pennsylvania Ave NW
Washington, D.C. 20500

April 2007 – May 2007
Sales Representative
Modern Marketing Concepts
6046 Cornerstone Court West
San Diego, CA 92121

August 2005 – July 2006
Staff Assistant
United States House of Representatives
Office of the Majority Whip
U.S. Capitol
Washington, D.C. 20004

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I am registered for the selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Champion of Free Enterprise, WV Chamber of Commerce, 2021
Champion of Industry, WV Manufacturers Association, 2020
Champion of Innovation, WV Bioscience Association, 2019
Conservative Excellence, American Conservative Union Foundation, 2018

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association
Intermediate Court of Appeals of West Virginia Advisory Council
West Virginia Law Institute Committee

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

West Virginia, October 2011

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

U.S. District Court for the Southern District of West Virginia, October 2011 – Present

All West Virginia State Courts, October 2011 – Present

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school.

Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Center for Organ Recovery, Board of Directors, 2020 – Present
Gas and Oil Association of West Virginia (previous known as Independent Oil and Gas Association), 2013 – Present
Energy Mineral Law Foundation, 2019 – Present
Rotary Club of Charleston, 2012 – 2023
Edgewood Country Club, Board of Governors, 2014 – 2017
The College Summit, Regional Advisory Board, 2014 – 2015

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None of the organizations listed above currently discriminate or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Data Centers and Our Region, OnRamp Magazine, March 9, 2025. Copy supplied.

Small Businesses Need to Be Wary of Cyber Attacks (Opinion), Charleston Gazette-Mail, November 11, 2021. Copy supplied.

How FinTech is Upending a Traditional Industry, Smart Business, October 27, 2021. Copy supplied.

Helping Hand: Why useful public/private partnerships often go undiscovered,

Smart Business, May 26, 2020. Copy supplied.

Showcasing expertise: Virgin's hyperloop project highlights region's emerging technology capabilities, Smart Business, November 30, 2020. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I was not able to locate any.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases.

As a member of the West Virginia House of Delegates, there are hundreds or maybe even thousands of times that I made remarks in committee or on the House floor which related to matters of public policy and legal interpretation. There are no written transcripts of those remarks.

When I was a member of the House of Delegates, I was chair and vice-chair of the Committee on the Judiciary. In that role, I ran the committee meetings which were memorialized with meeting minutes. I was unable to locate any transcripts of the past committee meetings. Additionally, in this role I presented legislation to the entire House of Delegates on the house floor.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes

from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have included all that I could find below. Despite my searches, there may be other materials I have been unable to identify, find, or remember.

Appalachian Land Institute
1000 Corporate Drive
Canonsburg, PA 15317
April 2025

Speaker

I discussed the rise in demand for data centers in the Appalachian Region along with the opportunities and challenges.

Copy provided.

Shale Power: Shale Industry and Manufacturing Supply Chain Forum
777 Casino Drive
Pittsburgh, PA 15212
March 2025

Speaker

I discussed the rise in demand for data centers in the Appalachian Region along with the opportunities and challenges.

Copy unavailable.

The Politics of Energy Law
100 Art Rooney Avenue
Pittsburgh, PA 15212
October 2024

Panelist

I discussed matters of public policy related to energy industries in the Appalachian Regions.

Copy unavailable.

The 2023 Babst Calland Report—Legal & Regulatory Perspectives for the U.S.
Energy
Virtual
June 2023

Host of Discussion

Introductory remarks by Babst Calland energy attorneys Moore Capito and Jim Curry of the special briefing by Sen. Barrasso.

Copy unavailable.

The 2022 Babst Calland Report—Legal & Regulatory Perspectives for the U.S.

Energy

Virtual

June 2022

Host of Discussion

Joining Sen. Joe Manchin in the report's introductory webinar recording were Babst Calland energy attorneys Joe Reinhart, Moore Capito and Jim Curry.

Video available at <https://vimeo.com/714523798>

The 2021 Babst Calland Report–Legal & Regulatory Perspectives for the U.S.

Energy

Virtual

June 2021

Host of Discussion

Joining Sen. Joe Manchin in the report's introductory webinar recording were Babst Calland energy attorneys Joe Reinhart, Moore Capito, Tim Miller and Keith Coyle.

Video available at <https://vimeo.com/567604309>

Political Speeches:

W.Va. GOP Gubernatorial Candidates Discuss CPS Reform, WSAZ:

<https://www.wsaz.com/2024/05/01/wva-gop-gubernatorial-candidates-discuss-cps-reform/> April 30, 2024

Election 2024: West Virginia Republican Gubernatorial Debate, WOAY:

<https://www.youtube.com/watch?v=TEgAcMsjk6A> February 6, 2024

West Virginia Republican Gubernatorial Debate, WCHS,

<https://www.youtube.com/watch?v=4mt6vc4sPOA> December 6, 2023

November 2015 – November 2022

Within this timeframe, I was a candidate for House of Delegate in West Virginia and was elected four times. During this time, I made campaign speeches and official speeches on hundreds of occasions. I gave remarks to a variety of groups including but not limited to local political organizations, schools, law enforcement meetings, association meetings, local social organization, business groups, grassroots organizations, town councils, and coalitions. These remarks dealt with state issues related to my constituents and the issues facing West Virginia. In my elected capacity, I spoke often with groups updating them on legislation and the impacts of such legislation. My remarks were not scripted, nor were they memorialized, unless otherwise noted herein.

November 2022 – May 2024

Within this timeframe, I was a candidate for Governor of West Virginia. There are hundreds of instances where I gave remarks to a variety of groups including but not limited to local political organizations, schools, law enforcement

meetings, association meetings, local social organization, business groups, grassroots organizations, town councils, and coalitions. These remarks were not scripted, nor were they memorialized, unless otherwise noted herein. My remarks related generally to my vision to grow West Virginia and provide a future for our children. Some of my campaign speeches can be found here:
<https://www.youtube.com/@moorecapitoforwv>

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Eastern Panhandle Talk: Candidate for WV Governor Moore Capito, WRNR,.
<https://www.youtube.com/watch?v=b0Qwk-Yayxk>, May 14, 2024.

Moore Capito: Republican candidate for West Virginia governor, WV News,
https://www.wvnews.com/news/wvnews/moore-capito-republican-candidate-for-west-virginia-governor/article_154c091a-0896-11ef-be2b-8b72dcd36c9d.html,
May 4, 2024.

The Race for West Virginia Governor on Inside West Virginia Politics,
WOWKTV: <https://www.wowktv.com/news/inside-wv-politics/the-race-for-west-virginia-governor-on-inside-west-virginia-politics/>, May 2024.

Governor Justice and Former State Rep. Moore Capito talk Election 2024 with 7News. WTRF, <https://www.wtrf.com/west-virginia-politics-2024/governor-justice-and-former-state-rep-moore-capito-talk-election-2024-with-7news/>,
April 25, 2024.

'We are very honored': Moore Capito talks about endorsement from Gov. Jim Justice, WOWK, <https://www.wowktv.com/news/west-virginia/west-virginia-politics/we-are-very-honored-moore-capito-talks-about-endorsement-from-gov-jim-justice/>, April 24, 2024.

Moore Capito share critical priorities in run for governor, WCHS,
<https://wchstv.com/news/beyond-the-podium/moore-capito-shares-critical-priorities-in-his-run-for-governor>,
April 16, 2024.

Moore Capito seeks the Republican nomination for West Virginia governor, WSAB, <https://www.wsaz.com/2024/04/01/moore-capito-seeks-republican-nomination-west-virginia-governor/>, April 1, 2024.

Shelley Moore Capito, Moore Capito discuss family legacy in public service, WVNews: <https://www.wvnews.com/news/wvnews/shelley-moore-capito-moore->

[capito-discuss-family-legacy-in-public-service/article_9034c0ea-edc5-11ee-9ed8-7793f0b74b24.html](https://www.loganbanner.com/news/moore-capito-gop-gubernatorial-candidate-visits-logan/article_c556ea0c-64c7-5a81-ad57-90ff7aafa322.html), March 30, 2024.

Moore Capito, GOP Gubernatorial candidate, visits Logan, Logan Banner: https://www.loganbanner.com/news/moore-capito-gop-gubernatorial-candidate-visits-logan/article_c556ea0c-64c7-5a81-ad57-90ff7aafa322.html, March 26, 2024.

Governor Justice and former State Rep. Moore Capito talk Election 2024 with 7News, WTRF: <https://www.wtrf.com/west-virginia-politics-2024/governor-justice-and-former-state-rep-moore-capito-talk-election-2024-with-7news/>, April 2024.

Justice Vows to Fight New EPA Rules, The Intelligencer. Wheeling News-Register, <https://www.theintelligencer.net/news/top-headlines/2024/04/justice-vows-to-fight-new-epa-rules/>, April 2024.

Moore Capito on Cleveland-Cliffs: "The fight isn't over yet," WTRF: <https://www.wtrf.com/news/politics/moore-capito-on-cleveland-cliffs-the-fight-isnt-over-yet/>, March 2024.

Moore Capito Brings Gubernatorial Campaign to McMechan, The Intelligencer. Wheeling News-Register: <https://www.theintelligencer.net/news/top-headlines/2024/03/moore-capito-brings-gubernatorial-campaign-to-mcmeechen/>, March 2024.

Moore Capito Speaks at CK Area Business Association Luncheon, The Wayne County News: https://www.waynecountynews.com/news/moore-capito-speaks-at-ck-area-business-association-luncheon/article_6d8f9c15-3ba6-5ced-91df-0cb724cf51c7.html, March 2024.

Candidate profile: Moore Capito for governor, WOAY, [woay.com/candidate-profile-moore-capito-for-governor/](https://www.woay.com/candidate-profile-moore-capito-for-governor/), February 20, 2024.
Copy supplied.

Moore Capito runs for governor in the 2024 election, The Journal, [Moore Capito runs for governor in the 2024 election | Journal-news | journal-news.net](https://www.journal-news.net/news/moore-capito-runs-for-governor-in-the-2024-election), February 16, 2024.

Eastern Panhandle Talk: Candidate for WV Governor Moore Capito, WRNR: <https://www.youtube.com/watch?v=BQzavTIAArg>, February 2024.

Talkline, WV MetroNews: <https://www.spreaker.com/episode/talkline-live-from-the-wv-capitol-rotunda-for-wednesday-february-21-2024--58769793>, February 2024.

Moore Capito announces run for W.Va. Governor, The Weirton Daily Times, [Moore Capito announces run for W.Va. Governor | News, Sports, Jobs - Weirton Daily Times](#), November 30, 2022.

Employees Paid \$12,000 to Move to West Virginia, NewsNation: <https://www.youtube.com/watch?v=Ooz0wYhY0no>, October 2021.

House of Delegates, Kanawha Commission consider paid family leave plans, WV Gazette: https://www.wvgazettemail.com/news/kanawha_county/house-of-delegates-kanawha-commission-consider-paid-family-leave-plans/article_2a50e9b5-97a3-5170-8384-333042dfa0de.html, January 2020.

13. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

Member, West Virginia House of Delegates, January 2017 – December 2023. I was elected to office in 2016, 2018, 2020, and 2022.

Unsuccessful Candidate for Governor of West Virginia, November 2022 – May 2024

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Chair, WV Republican Legislative Committee, 2018-2021

14. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a law clerk.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

December 2014 – December 2017

Director of Land

September 2011 - December 2014

Corporate Counsel

Energy Corporation of America

500 Corporate Landing

Charleston, WV 25311

December 2017 – October 2019

Director of Land and Corporate Counsel

Greylock Energy LLC

500 Corporate Landing

Charleston, WV 25311

January 2017 – December 2023

Member

West Virginia House of Delegates

1900 Kanawha Blvd E

Charleston, WV 25305

October 2019 – Present

Shareholder

Babst, Calland, Clements and Zomnir P.C.

300 Summers Street, Suite 1000

Charleston, WV 25301

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not served as a judicial officer.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

I began practicing law in the fall of 2011 after being admitted to the West Virginia Bar. My legal career started as an in-house attorney with Energy Corporation of America, an independent oil and gas company. My focus was on energy-related matters, including transactional research and supporting corporate and commercial deals. I analyzed deal structures, reviewed term sheets, and provided comparative research on precedent transactions. I also assisted with the company's litigation matters throughout the course of each case.

In 2014, I began managing the Land Department, which was comprised of up to 14 members. In this role, I continued to support the legal department and led decision-making based on the jurisdictional and property laws. This required reviewing and researching recorded records in courthouses in West Virginia and Pennsylvania.

In 2017, the company merged into a new entity, Greylock Energy LLC, where I remained the Director of Land while also serving as Corporate Counsel. I worked on all facets of the transaction.

In 2019, I joined Babst Calland. I initially focused on energy clients but expanded my practice to broader transactional matters, including in banking and finance. My work has also extended into emerging technology markets, where I help startup companies get off the ground. I manage both litigation and deal flow for my clients.

In 2017, I was elected to the West Virginia House of Delegates. I served on the Committee on the Judiciary throughout my tenure. In 2019, I became the Vice Chair of the committee, and in 2021, I was appointed Chair. The Judiciary Committee handles all legislation affecting the legal rights of West Virginians. The committee also oversees and legislates the entire justice system in the state, including the city, county, and state courts, and the various prosecutors' offices. In this role, I became familiar with nearly every area of law. I worked with officials in both the civil and criminal court systems, helping shape policy that affects the justice system in West Virginia.

My responsibilities included crafting legislation, evaluating public policy, and collaborating with stakeholders to ensure each bill could withstand legal and constitutional scrutiny while achieving its intended goals. This role required me to secure the necessary support to advance legislation from committee to the House floor. As Chair, I presented legislation to the

full House and fielded questions from any member, regardless of party affiliation.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

For the first eight years of my legal career I was working as in house counsel, so my client was always our company. We dealt with various matters related to real estate, litigation, regulatory, and commercial transactions.

Since 2019, my clients are from a variety of sectors, including real estate, energy, manufacturing, banking, and emerging technologies.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

I do not appear in court frequently. As Corporate Counsel at ECA, I supported employees sitting for depositions. In private practice, I have clients that are involved in litigation, but my involvement has been to oversee and manage the process.

- i. Indicate the percentage of your practice in:
 - 1. federal courts: 5%
 - 2. state courts of record: 80%
 - 3. other courts: 0%
 - 4. administrative agencies: 10%
- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings: 100%
 - 2. criminal proceedings: 0%
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have not tried any cases to verdict, judgment, or final decision.

- i. What percentage of these trials were:
 - 1. Jury: N/A
 - 2. non-jury: N/A
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any

oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

As stated above, I am not a litigator. In private practice and in house, I worked with outside counsel and the firm's litigation team on case management, client relationships, and strategy in cases where my clients are involved. Those include:

Pollock, et al. v. Energy Corporation of America, Civil Action No. 2:10-cv-01553, U. S. District Court for the Western District of PA

Richard Spotloe v. Eastern American Energy Corporation, Civil Action No. 06-C-53, Circuit Court of Barbour County, West Virginia

John C. Gill v. McNay Rentals Limited Partnership, Docket No. A.D. 555-2013, Pennsylvania Court of Common Pleas

Richard L. Cain v. XTO Energy, Inc., Civil Action No. 1:11-CV-111, United States District Court Northern District of West Virginia

John T. Dibiase v. Energy Corporation of America, A.D. 884 of 2011, Circuit Court of Common Pleas of Greene County, Pennsylvania

JRY Natural Resources, LLC, v. Energy Corporation of America, Civil Action No. 14-C-65, Circuit Court of Boone County, West Virginia

Quarrier ST LLC v. Hull Property Group, LLC, et. al., No. 22-C-128, Circuit Court of Kanawha County, West Virginia

Quarrier ST LLC v. Hull Property Group, LLC, et. al., No. 24-ICA-67, Intermediate Court of Appeals, West Virginia

Charles WV Mall, LLC v. Charleston Urban Renewal Authority, No. 22-ICA-36, Intermediate Court of Appeals, West Virginia

Charles WV Mall, LLC v. Charleston Urban Renewal Authority, No. 17-C-1527, Circuit Court of Kanawha County, West Virginia

As Chairman of the Committee on the Judiciary in the West Virginia House of Delegates, I routinely worked with judges, prosecutors, public defenders, civil litigators, and law enforcement on statutory and procedure reforms. In this role, I became very familiar with all facets of both the criminal and civil justice systems.

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

The most significant legal activity I've undertaken is my work as Chairman of the WV Legislature's Committee on the Judiciary. In many ways, my role on the House floor resembled that of a trial advocate, persuading a jury of 99 fellow delegates to support legislation I believed served West Virginia's best interests. I viewed my role as being a steward of the state's entire justice system. I worked directly with stakeholders in both the civil and criminal justice systems, gaining a detailed understanding of the court system and the prosecutors and law enforcement agencies that support them. I facilitated reforms to the system to ensure its efficacy for the future, including by:

- Eliminating certain administrative judicial bodies;
- Changing the appellate structure by establishing an intermediate appellate court and reassigning jurisdiction across all levels;
- Reapportioned judicial officers and court structures;
- Improved the court-appointed counsel system; and
- Restructured tax provisions to provide tax relief

I also pursued and led changes to substantive laws, including (among many others):

- Increasing penalties for drug trafficking and child trafficking;
- Legislation criminalizing the neglect of a special needs child in the school system;
- Changing state code to recognize an unborn child as a distinct victim in a DUI causing death;
- The Cassie Johnson Bill, which introduced a sentence of up to life imprisonment for anyone convicted of murdering a police officer or other first responder; and
- Amending the state budget to allocate funds for screening every newborn in the state for spinal muscular atrophy.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe

briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

There are none.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

No

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my information OGE-278 which is attached for your reference.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

Please see attached net worth chart.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I will consult with the Department of Justice's ethics office and Designated Ethics Officer to identify potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

I have served on boards to help high school students go to college as well as worked on legislative priorities to ensure that students coming out of high school and those looking for work can attend vocational school for free. I hosted a series of public safety roundtables across the state to hear from our law enforcement community about how we create a safer West Virginia. I have visited dozens of schools throughout the state to visit with educators, parents, and students to see how we can improve educational outcomes. I have worked with our foster care organizations to bring awareness to our most vulnerable population.

AFFIDAVIT

I, Arch Alfred Moore Capito, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

7/25/2025 Moore Capito
(DATE) (NAME)

Crystal Brinkley
(NOTARY)

