

# Diversifying the Bench Guidebook

————— HOW TO BECOME A JUDICIAL OFFICER —————



THE WASHINGTON STATE  
MINORITY AND JUSTICE COMMISSION

MARCH 2011

*The American justice system is  
the bedrock of our freedom.*

# **Diversifying the Bench Guidebook**

*HOW TO BECOME A JUDICIAL OFFICER*

WASHINGTON STATE  
MINORITY AND JUSTICE COMMISSION

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*The following associations, boards, commissions and law schools are proud to join the Washington State Minority and Justice Commission in publishing this guidebook:*

Access to Justice Board, The Asian Bar Association of Washington (ABAW), Board for Judicial Administration (BJA), District and Municipal Court Judges' Association (DMCJA), Filipino Lawyers of Washington (FLOW), Gonzaga University School of Law, King County Bar Association (KCBA), Latina/o Bar Association of Washington (LBAW), Loren Miller Bar Association (LMBA), Middle Eastern Legal Association of Washington (MELAW), Northwest Indian Bar Association (NIBA), Office of Administrative Hearings (OAH), Pierce County Minority Bar Association (PCMB), Seattle University School of Law, South Asian Bar Association of Washington (SABAW), Superior Court Judges' Association (SCJA), University of Washington School of Law, Vietnamese American Bar Association of Washington (VABAW), Washington State Bar Association (WSBA), Washington State Gender and Justice Commission, Washington Women Lawyers (WWL).

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## **Washington State Minority and Justice Commission Mission Statement**

The Washington State Minority and Justice Commission was created by an Order of the Washington State Supreme Court to determine whether racial and ethnic bias exists in the courts of the State of Washington. To the extent that it exists, the Commission is charged with taking creative steps to overcome it. To the extent that such bias does not exist, the Commission is charged with taking creative steps to prevent it.

## **Workforce Diversity Committee Mission Statement**

The mission of the Workforce Diversity Committee is to promote equal employment opportunities and to increase the number of racial and ethnic minorities employed in the justice system.

## **ACKNOWLEDGEMENTS**

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## INTRODUCTION

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The American justice system is the bedrock of our freedom, of a just and democratic society. What does this justice system promise? Most significantly, it promises fairness, impartiality and access, a promise that is the envy of much of the rest of the world.

Our courts hold out the promise of a reliable, accessible and impartial forum where people and organizations come to resolve their disputes in a civil manner, where the state addresses violations of the law, and where families turn to have the most significant issues of their lives and those of their children addressed. Our courts also hold out the promise that constitutional rights will be protected, including the right to counsel if liberty or rights to our children are at stake. And the promise is that these important decisions will be made by judges or juries who are motivated not by bias, not by money and not by influence, but rather by nothing other than the responsibility to apply the law fairly and impartially.

This promise of fairness, impartiality and access has not always been a reality for some. Particularly where race, gender, religion, sexual orientation, disability or ethnicities have been involved, justice has not always been rendered. Today it is even more imperative that our courts reflect the growing diversity of our country. The courts must not only be forums in which fair decisions are made, they must also appear to be just and impartial.

How do we improve the perception of impartiality in our courts? One significant method is to appoint and elect judges of all backgrounds. That in turn takes attorneys of color and of other diverse characteristics being willing to seek appointment or election, it takes an appointing authority with a keen understanding of the importance of diversity on the bench, and it takes an educated voting public to ensure that people of all backgrounds gain and retain their judicial positions just like other candidates usually do when they are qualified or performing well. Diversity on the bench can also inspire young people, allowing them to see that there are no limits on their dreams. Attaining a diverse bench across our state is also simply the right thing to do.

## TERMINOLOGY

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AOC — Washington State Administrative Office of the Courts.

WSBA — Washington State Bar Association.

CJCRP — Washington State Commission on Judicial Conduct.

CJC — Code of Judicial Conduct.

PDC — Washington State Public Disclosure Commission.

SOS — Washington State Office of the Secretary of State.

RPC — Rules of Professional Conduct.

ELC — Rules for Enforcement of Lawyer Conduct.

DRJ — Discipline Rules for Judges.

District — A geographic subdivision of a division from which judges of the court of appeals are elected, a single or multi-county district from which superior court judges are elected, or a county from which district court judges are elected.

## DISCLAIMER

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The information contained in this guidebook has been assembled to provide helpful information to those considering a judicial career and as a training resource. We have attempted to be as comprehensive and as current as possible. However, because rules and laws governing the judiciary are subject to change, as is the appointment process, we recommend readers use the guidebook as a *starting point* in their pursuit of a career in the judiciary. Users are encouraged to check sources identified for more current information.



## MESSAGE FROM THE CHAIRS

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The Minority and Justice Commission's Workforce Diversity Committee is pleased to offer this guidebook to attorneys contemplating a judicial career. Our purpose is to assemble and present in one location a comprehensive guidebook containing information on qualifications, rules and regulations, and the processes involved in seeking an appointment and in running for election to a judicial position. The guidebook also contains insight gathered from a number of judges addressing questions attorneys considering a judicial career often ask.

We intend this guidebook to help attorneys carefully consider whether they want to be judges – whether they are willing and able to live subject to the restrictions of the office and whether they are willing to make every effort to set aside bias and make impartial decisions.

We hope that this guidebook also will encourage attorneys and law students, including those of diverse backgrounds historically underrepresented on the bench, to consider a judicial career, one of the most significant positions of trust in our society. Serving as a judge is a tremendous privilege and responsibility. It takes talent, energy and leadership, not just to decide cases one by one, but also to administer the court and to work to improve the administration of justice.

If you decide you are interested in a judicial career, we hope that this guidebook will serve as a valuable resource for you.

**Deborah D. Fleck**

Chair, Workforce Diversity Committee  
Washington State Minority and Justice Commission

Judge, Superior Court of Washington for King County

and

**Attorney Bonnie J. Glenn**

Vice-Chair, Workforce Diversity Committee

Special Assistant to Secretary DSHS, Juvenile Justice Policy

## GOVERNOR'S OFFICE ON JUDICIAL APPOINTMENTS

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Governor Gregoire cares deeply about the quality of the judiciary in the state of Washington and takes the honor of making judicial appointments very seriously. She strives to strengthen the quality, efficiency and image of our judiciary through her appointments. Judicial appointments have a significant effect on the people of the state of Washington and those who do business in this state, and are a high priority for the Governor. She believes that the selection of experienced, independent and well-qualified lawyers to join the bench is vital to maintaining not only an efficient judicial system, but also a healthy democracy and vital economy.

A copy of the Uniform Judicial Evaluation Questionnaire is contained in Appendix J and is also available at: <http://www.governor.wa.gov/judicial/default.asp> under Other Resources. The questionnaire is appropriate for appointments to the Superior Court, the Court of Appeals and the Supreme Court. Applications and letters of support should be submitted directly to the Governor's General Counsel, who is in charge of the Governor's judicial evaluation and selection process, at the following address:

Office of the Governor  
Legislative Building  
P.O. Box 40002  
Olympia, Washington 98504

Or by e-mail attachment to [Melynda Campbell](#) at the Office of the Governor. (If you choose to submit an application electronically, be sure to send signed hard copies of the signature page located at the end of the application as well as the Authorizations to Release Information in Appendix J and on the Governor's website listed above.) Along with the questionnaire, please also submit a brief resume (no more than 3 pages).

Evaluations from the state, county and minority bar associations help the Governor locate and evaluate the widest spectrum of candidates. All applicants are strongly encouraged to utilize these evaluation programs and to contact the county and minority bar associations as soon as possible in the application process. If you are applying for an appellate position, please contact the Washington State Bar Association to obtain its evaluation. Please also contact the various minority bar

associations as soon as possible including, but not limited to, the Latina/o Bar Association, the Loren Miller Bar Association, the Joint Asian Judicial Evaluation Committee, the GLBT Bar Association of Washington (QLaw), Washington Women Lawyers (or its county affiliate), the Pierce County Minority Bar Association, and the Northwest Indian Bar Association. A regularly updated directory of the minority bar associations and their respective Judicial Evaluation Committee Chairpersons can be found at: <http://www.wsba.org/minority+bar+associations.htm>.

A central goal in the Governor's judicial evaluation and selection process is to gather as much information about each candidate from as many sources as possible to ensure a robust vetting process. Before filling a vacancy, the thoughts of the judges on the bench where the vacancy exists are always considered, together with input from bar and community leaders and every available bar association evaluation or rating.

Every qualified candidate who submits an application and completes the evaluation process is personally interviewed by the Governor's General Counsel, and finalists are interviewed by the Governor personally. The Governor's process for evaluating and selecting candidates can be lengthy, and every effort is made to fill vacancies as quickly as possible. However quality is never compromised for speed. In order to facilitate timely decision making, interested and qualified lawyers are encouraged to submit an application at any time - so that a ready pool of applications is on file when a vacancy opens.

Gubernatorial appointees hold office until the next general election, at which time the people of the area they serve may vote to retain the appointed judge or elect another candidate. While appointees are often not challenged, any appointee must be well prepared to launch a vigorous campaign to retain the seat. See tabs under Related Topics for other pages concerning judicial appointments by the Governor at: <http://www.governor.wa.gov/judicial/default.asp>.

## WASHINGTON COURTS

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In the State of Washington, an attorney may pursue a judicial position by appointment or by running in an election. Judicial positions are nonpartisan and do not require candidates to declare their political affiliation or designation (RCW [29A.52.231](#)).

## JUDGES' INSIGHT

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This section is a compilation of the knowledge, experience and wisdom offered by several judges to assist attorneys considering a career on the bench. The information was garnered at a facilitated meeting in which a number of questions were discussed. Because methods and strategies for pursuing a judicial appointment or election vary from person to person as well as from one geographic area to another, and because the views of the appointing authority or authorities may also vary over time, there is no single, correct approach. For these reasons, the Judges' Insight section is intended as a reference, rather than a formal guide for those interested in pursuing a judicial position.

***Q:** When did you decide to become a judge? What factors should you consider in determining whether you want to seek a judicial position?*

Most became interested in a judicial career while in practice. However, judges report meeting many young adults who are expressing an interest at an earlier stage, such as during college or law school. It does not matter when you decide to pursue a judicial position. What matters is why you are interested in becoming a judge. If you are serious, you must be able to articulate clearly the basis for your interest in a judicial career.

What qualities would you bring to the bench?

Do you want to devote yourself to public service?

Are you willing to work very hard, both on the bench and in administering the court, something that is required under the Code of Judicial Conduct?

Do you have the energy and passion to devote to improving the system of justice?

Are you able to articulate ways to improve the particular bench you wish to join?

Do you have a “judicial temperament” – the humility required of a person who has tremendous power over the lives of others, as well as the strength to make tough, sometimes courageous, decisions?

Are you able to monitor yourself continuously in an effort to avoid bias in your decisions?

Are you able to treat others with courtesy and respect, both in terms of the language you use and in terms of your demeanor?

Almost everyone likes the title “judge,” but not everyone likes the job itself. For example, consider whether you would like to serve as a neutral decision maker, rather than as an advocate for a client’s position. Carefully consider the constraints under which judges work, including the restrictions on the ability to express opinions publicly and the restrictions on affecting public policy through the political system, as just two examples. Finally, don’t seek the position if you are interested in power or prestige—you should genuinely believe you will like the work and enjoy interacting with people, especially at the trial court level.

***Q:** Does it matter what law school you attended?*

Although attending a top tier law school impacts your ability to secure a judicial clerkship as well as a position at prestigious law firms, the law school diploma has limited impact on your ability to become a judge. Graduating from a top tier law school conveys the message that you are intelligent and legally well-trained. If you did not graduate from a top tier law school, you may need to work harder to convey the same message through work experience, legal reputation, honors, and contributions to the bar and your community.

Appointing authorities want their judicial appointments to be upheld by the voters. Most judges felt that where you graduated may be a factor that would help deter potential challengers in an election, but believe that where you attended law school does not seem to matter to voters. For state court positions, credentials such as practice and reputation matter more than which law school you attended, both to the appointing authority and to the voters. For federal judicial positions, large law

firm experience often matters. And, large firms usually hire those who graduated from law schools with outstanding reputations.

**Q:** *What is a good way to learn about being a judge?*

Speak with currently sitting and retired judges—most are open to talking with those interested in pursuing a judicial career. Ask questions such as:

What does the job entail, what specific skills are needed, how steep is the learning curve?

What steps can you take now to prepare for areas of law in which you don't have experience?

What is expected in terms of new judges participating in court administration and what areas of the court's operations need change?

What areas of court administration might your experience and talents best be used?

Do you have advice with respect to the appointing authority's questions and interviews with potential appointees?

Such conversations will help you to decide if you really want to pursue this major career change. They should also highlight whether you are ready to pursue the bench or alternatively, whether there is additional preparation you would be wise to undertake.

Another way to learn about being a judicial officer is to serve as a judge pro tempore. Consider sending a letter of interest and resume to court administrators in your area. One judge indicated that she sent out over 40 letters and received two responses. If you know a judge on the court, you might inquire of him or her about the process of becoming a judge or commissioner pro tempore on that court. In some jurisdictions, there is a formal process to qualify for service as a judge or commissioner pro tempore. In some district courts, each judge identifies the attorneys he or she will

authorize to sit as a judge pro tempore in his or her court. Be mindful that if you are interested in serving as a pro tempore judge, you need to be available on short notice to fill in for the judge.

If serving as a judge pro tempore is not possible, there are other ways to enhance your decision-making skills and credentials. You can work in other fact-finding positions, including as an arbitrator or mediator, or participate in bar-related activities or service. There may also be positions in community organizations where you can develop skills in decision-making or as a neutral fact finder.

Another good way to learn what skills are needed to be a judge is to serve on screening committees for various bar associations and political organizations. You will learn what screeners believe are strengths and weaknesses in candidates, as well as the skills you may want to improve upon before seeking a judicial position. You may also learn how the various candidates have prepared for election or appointment. Remember that your involvement should be because of your true interest in providing this service to the bar and the public – these activities require many hours of your time. In some organizations, this service disqualifies you from seeking a judicial position for a designated period of time. For example, those serving on the King County Bar Association Screening Committee must wait a year following completion of their service and they may not contribute to or participate in judicial campaigns.

***Q:** What kinds of activities should I get involved in?*

There are divergent viewpoints about what kinds of activities you should be involved in. Some believe that active participation in the state bar association is important while others believe that any active involvement is just as important, such as a child's soccer team or PTA. The key message is that people who win are people who are involved with others. Be active in what you are passionate about.

Also, don't take your community for granted. For example, if you identify with a particular group, consider volunteering with that group and any related bar association, locally or nationally. You need to be visible in the community to seek its support.

In addition, don't neglect the base of your opponent – even if you believe that certain groups already support your opponent, seek opportunities to speak with them. You will be demonstrating your respect and your recognition of the importance of their voice to the appointing authority.

***Q:** Is it more advantageous to be appointed first before seeking an election?*

Incumbency has its advantages. However, recognize that even if you are appointed, you still need to stand for election in the next general election except in certain municipal courts. You need to be able to articulate how you are prepared for an election if appointed to assure the appointing authority that you can maintain the position and that their confidence in your abilities is well-founded.

Also keep in mind that some persons, for whatever reason, may not be appointed. Don't take it personally and move on to your next strategy – running for election.

***Q:** What steps are necessary in seeking a judicial appointment?*

Review this manual to determine who makes the appointment for the particular position you are interested in: governor, mayor, city council, county legislative authority or presiding judge. Learn as much as you can about the appointment process and about the appointing person or body. For example, will sheer quantity of recommendations be effective? Or will the governor or county council prefer to receive a handful of stellar recommendations from key individuals and from diverse constituent groups? You may want to attend events where the appointing person, such as the governor, will be present so that you can be introduced by someone who knows the governor. This gives you an opportunity to spend a brief moment in conversation with the person responsible for the appointment. Speak to the staff of the appointing individual or body, such as the governor's counsel. Learn whether there is a "short list" or whether the appointing person or body will be conducting new interviews to expand the existing list. Research the questions that this appointing person or body has asked previously by speaking with others who have gone through the process. Prepare your answers thoughtfully and practice, practice, practice. The preparation is like practicing for a job interview: list three to five bullets for each question and practice answering the questions, incorporating the bullets.



Speak with those who have been appointed, especially by the same appointing person or body. Remember that each appointing authority has different criteria that he/she/they are looking for. It is important to talk with those previously appointed or who have gone through the interview process to determine what qualifications and criteria the appointing authority may be seeking for that position.

Of course, you will need to be evaluated by the screening committees of the various bar associations and perhaps by some of the community groups.

***Q:** What kinds of letters of recommendation should I get for the appointment process?*

Line up individuals who can write letters of recommendation for you early in the process. Many judges believe that it is best to have no more than ten (10) high quality references from a wide spectrum of the community. Anyone can get ten lawyers to say nice things but, for example, can you get business owners and community leaders to write letters of recommendation? It is also important to prepare background materials regarding your qualifications for these references to use when drafting their letters.

***Q:** What should I know about the screening process?*

Each appointing authority has its own process. Most use some form of application, followed by an interview. Some may use a bar organization's evaluation form or report while others may not. Review this manual and follow up with the appointing authority to learn whether that appointing authority prefers or requires an evaluation from one or more of the bar associations. Appointing authorities usually wish to know the ratings you have received from various community and bar groups. Most of the bar associations have screening committees. The following bar associations have judicial evaluation committees: the King County Bar Association, the Loren Miller Bar Association, the Joint Asian Judicial Evaluation Committee (JAJEC), the Latina/Latino Bar Association, the GLBT Bar Association of Washington (QLaw), Washington Women Lawyers, the Pierce County Minority Bar Association, and the Northwest Indian Bar Association. Remember that the state bar association only evaluates candidates for appellate positions.

Some appointing authorities may put more weight on the bar associations'

evaluations and activities while others may place greater weight on community activities. Try to determine this well in advance. Think about what you want to convey to the screeners during your interview. Consider both videotaping your answers to potential questions as well as using a group to critique your practice interview. Develop four to five “talking points” that are central to your message. You may wish to use a private consultant for the interview process. Always be yourself and try to be relaxed and confident, without being arrogant.

***Q: What preparation is needed for an election?***

Develop a basic campaign organizational structure. Consider hiring a campaign advisor, manager or coordinator. It is possible to run a campaign without a campaign manager but it will take more work and time by you, the candidate. Plot out how much time you may have to campaign. If you are running for an election after being appointed, recognize that time to campaign may be limited compared to running for an election initially. Develop a campaign plan, including a timeline. An experienced campaign advisor is invaluable in doing so. This timeline will be a detailed calendar of campaign activities, with weekly deadlines and checklists.

Seek and appoint your honorary campaign chairs, your campaign chairs and your treasurer, as well as members of your steering, endorsement and finance committees. It is helpful to have a volunteer coordinator, a scheduler and someone to maintain your database.

Early in campaign planning, the endorsement committee should seek key endorsements from individuals and groups, including from political party precincts, and labor, business and community groups.

Have a finance plan in place, including a treasurer and a finance committee. Remember, candidates cannot seek campaign contributions directly. Someone has to do the asking for you. Be aware of the restrictions regarding when you may begin to solicit campaign funds. You will need to file public disclosure documents at specific times.

The finance committee will help you develop the budget for your campaign. Campaign expenses include some or all of the following items on this non-exclusive list:

- Filing fee
- Professional campaign services (consultant/campaign manager, etc.)
- Bus signs, yard signs, billboards
- Postage/mail house service for direct mail; labels and lists
- Printing costs for supporter post cards, “Slim Jims,” remit/supporter envelopes, other campaign materials
- Design services for all of the campaign materials from bus signs to remit envelopes
- Newspaper, radio and/or television advertising
- Professional photographs
- Website creation and maintenance

The finance committee will help you determine whether to send out a letter to the members of your local bar as well as to others, and identify individuals who may send out a letter on your behalf. Such a letter may be in the form of an announcement of your candidacy signed by prominent attorneys, your honorary campaign chairs, or your campaign chairs, together with a list of your endorsements to date. The letter may also seek additional endorsements and it may include a “remit” envelope seeking donations. The finance committee will also help you identify your potential contributors. You may wish to identify individuals who will seek endorsements and contributions from their own firms, with a focus on some of the large firms in your location. You may also wish to have a “coffee hour” chair as well as a coordinator for writing thank you notes to contributors, both financial and in-kind. Remember, the candidate cannot solicit funds from individuals or organizations.

How will you communicate with voters? Traditionally in the larger counties, judges have used direct mail, at least to what are called “4 /4” and “3 /4” voters, referring to voters who have voted in the last 4 out of 4, or 3 out of 4 of the previous elections. There are businesses that sell voters’ mailing lists and labels for use in door-belling and direct mailing. Keep in mind that if you want to send out direct mail pieces to voters, design, printing and postage expenses need to be built into the finance plan in advance. Judicial candidates often prepare what is called a “Slim Jim,” a piece of literature that fits into a traditional letter-sized envelope, to hand out to voters when attending or speaking at events. You will need a contribution or remittance envelope as well. These envelopes usually include boxes for people to check, identifying other ways they are willing to help you, such as by agreeing to put up a yard sign, stuff envelopes, contact friends via phone, letter or email, etc.

Will you doorbell? Use yard signs? What about newspaper advertising and billboards? Have a website? In recent years, judicial candidates have had campaign websites and communicated with voters by email. Consider having your campaign workers ask attorney supporters to include their own letter or one of your “Slim Jims” in their monthly billings. Another alternative would be for your attorney supporters to ask their colleagues to send a personalized email to those on their client and private contact list, recommending you as the candidate the attorney supports. Consider including a link to the very informative website, [www.votingforjudges.org](http://www.votingforjudges.org), in all your communications. This site lists all ratings for each candidate, links to all articles about the election and includes updated Public Disclosure Commission data. Also consider asking individuals, businesses and organizations to use your campaign materials, yard signs, email messages and the like. Candidates should also speak at community group functions, participate in candidate forums, attend local precinct meetings and other similar activities that will give the candidate exposure, name recognition and hopefully, votes.

The campaign plan should also include critical, time-sensitive steps such as preparing your statement for the voters’ pamphlet. The Secretary of State’s Office prepares an online voters’ pamphlet for the primary election and the voters’ pamphlet for all elections, including judicial races, in the general election. You should not underestimate the value of the voters’ pamphlets. It is very important to write clearly; one way to gauge that clarity is whether your statement is easily understood at the 6th grade reading level. You will also need a campaign photo for the voters’ pamphlets and for campaign literature. Although often included in the past, for the safety and privacy of your family members, you may not wish to include their photos.

Recognize that this is a political campaign. You need to determine what works and what doesn't work for your unique community and electorate. Solidify your base but also know that to succeed you need to go into your opponent's stronghold and be able to articulate why you should be given a chance. Be comfortable talking with people.

You need to develop two minute, five minute and 15 minute "talking point" speeches about yourself and the qualities that would make you a good judge. Use your experience and activities to connect with voters—they want a sense of who you are as a person. Voters want to know your strengths, virtues and accomplishments. Voters are looking for someone who they think can be fair, human and approachable, a person who is self-confident but not arrogant. Members of the public expect judges to be impartial, fair and dignified.

Be very clear about what you may and may not say in public and in a campaign. The Ethics Advisory Committee creates a judicial campaign pamphlet (Information Relating to Judicial Campaigns) that includes relevant ethics advisory opinions, the Code of Judicial Conduct and frequently asked questions. Read the [Code of Judicial Conduct](#) as well as the United States Supreme Court decision in *Republican Party of Minnesota v. White*, 536 U.S. 765, 122 S.Ct. 2528, 153 L.Ed.2d 694 (2002). Review the Washington State Ethics Advisory Opinions by the Ethics Advisory Committee ([http://www.courts.wa.gov/programs\\_orgs/pos\\_ethics/](http://www.courts.wa.gov/programs_orgs/pos_ethics/)) and Washington Supreme Court opinions touching on judicial campaigns. RCW [42.52.180](#) and RCW [42.17](#) are additional sources of authority and guidance regarding a judge's political activity. Review conference materials and articles on campaigns and campaign ethics, such as the article appearing in the October 2004 issue of the King County Bar Bulletin (<http://www.kcba.org/judicial/faircampaign/faircampaign.aspx>), as well as materials prepared by the King County Bar Association's Fair Campaign Practices Committee.

Be factual and above-board if you choose to speak about your opponent. One approach is to contrast yourself with your opponent in terms of your experience, history in trial, education, endorsements and contributions to improving the system of justice. Candidates often prefer simply to emphasize their qualities, qualifications, and contributions that they believe would make them a good judge while leaving it to the voters to compare and contrast them with their opponents who are running for the same position.

***Q:** How much money is required to run for a position?*

Some judges suggested that it takes approximately \$60,000 to \$500,000 or more for a Supreme Court position and \$20,000 to \$90,000 or more for a Superior Court position, with the highest cost in King County. Some judges mentioned that the cost depends on what level of court you are seeking as well as the political climate at the time of race. Candidates must file with the Public Disclosure Commission so you are able to research the funds expended in past elections by the candidates themselves. You may also be able to research how much outside political action committees (PACs) have spent on specific races as well. Judges also recommend that once you determine how much money you will need to run a campaign, determine how your finance committee will raise the funds to conduct your campaign, including what amount you, the candidate, will contribute personally. It is important to put a realistic cap on your personal contribution so that you will not be in a financial crisis after the campaign, which you may or may not win. Historically, the most significant cost has been campaign mailings in the larger counties.

***Q:** What advice can you give to a potential candidate?*

For persons of diversity, your resume needs to be expansive (not just focused on persons of color or women, etc.) to show that you can be fair to all, not just a select group. For others, your resume also needs to be expansive and inclusive, demonstrating to diverse groups that you can make important decisions impartially and without bias.

As with other endeavors, this equation applies: luck = preparation + opportunity.

Remember this quote: “Hard work beats talent when talent fails to work hard.”

Becoming a judge is not only about merit, it’s also about hard work and perseverance.

Finally, don’t take things personally.

## SUPREME COURT

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*Nine (9) justices currently serve on the Supreme Court.*

### **Jurisdiction**

The Supreme Court has original jurisdiction of petitions against state officers and can review decisions of lower courts if the money or value of property involved exceeds \$200. The \$200 limitation is not in effect if the case involves a question of the legality of a tax, duty, assessment, toll, or municipal fine, or the validity of a statute (Washington State Constitution [Article VI, Section 4](#); RCW [2.04.010](#)).

Direct Supreme Court review of a trial court decision is permitted if the action involves a state officer, a trial court has ruled a statute or ordinance unconstitutional, conflicting statutes or rules of law are involved, or the issue is of broad public interest and requires a prompt and ultimate determination. All cases in which the death penalty has been imposed are reviewed directly by the Supreme Court. In all other cases, review of Court of Appeals decisions is left to the discretion of the court.

Motions to be determined by the Court, and petitions for review of Court of Appeals decisions, are heard by five-member departments of the Court. A less-than-unanimous vote on a petition for review requires that the entire court consider the matter.

All nine (9) justices hear and dispose of cases argued on the appeal calendar. Each case is decided on the basis of the record, plus written and oral arguments. Exhibits are generally not allowed and no live testimony is heard.

The Supreme Court is the final rule-making authority for all of the state's courts. Though local courts make their own rules of procedure, these rules must not conflict with those established by the Supreme Court. In addition, the Supreme Court has administrative responsibility for the operation of the state court system. It also has a supervisory responsibility over certain activities of the Washington State Bar Association, including attorney disciplinary matters (Rules of General Application/ Rules for Enforcement of Lawyer Conduct: [ELC 2.1](#)). Additionally, the Supreme

Court has the authority to act upon recommendations made by the Commission on Judicial Conduct in matters involving the discipline of a judge (Rules for General Application/Discipline Rules for Judges: [DRJ 1\(a\)](#)).

## **Eligibility Requirements**

An attorney admitted to practice law in Washington State (Washington State Constitution [Article IV, Section 17](#)).

## **Term of Office**

Justices are elected from a statewide nonpartisan election for terms of six (6) years with the term commencing the second Monday in January after their election (Washington State Constitution [Article IV, Section 3](#); RCW [2.04.071](#)). The terms are staggered so that three (3) positions are voted upon at each biennial general election.

Justices are required by law to retire from their judicial office at the end of the calendar year in which they attain the age of seventy-five (75) years (Washington State Constitution [Article IV, Section 3\(a\)](#)).

## **Salary of Justices**

The annual salary of the justices is established by the Washington Citizens' Commission on Salaries for Elected Officials (RCW [2.04.092](#)). The annual salary for a justice is \$164,221 (<http://www.salaries.wa.gov/salary.htm>).

## **Selection Process**

### **ELECTION**

Three (3) of the nine (9) positions are voted upon at each biennial general election, occurring in even years (RCW [2.04.071](#)).

All candidates for a Supreme Court position appear on the primary ballot. If any candidate receives more than fifty (50%) percent of the vote for that position in the primary, his or her name appears on the general election ballot alone. If no



candidate receives a majority, the two candidates receiving the highest number of votes appear on the general election ballot (Secretary of State:

[http://www.secstate.wa.gov/elections/np\\_process.aspx](http://www.secstate.wa.gov/elections/np_process.aspx)).

#### APPOINTMENT

If a vacancy occurs, the governor appoints a person to hold the position until the next general election. The justice elected at the next general election holds the position for the remainder of the unexpired term (RCW [2.04.100](#)).

## COURT OF APPEALS

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Twenty-five (22) judges are currently authorized on the Court of Appeals. The Court of Appeals is divided into three (3) Divisions with headquarters located in Seattle, Tacoma, and Spokane (RCW [2.06.020](#)). See Appendix A.

*Division I* is based in Seattle and consists of ten (10) judges from three (3) districts: seven (7) from King County, two (2) from Snohomish County and one (1) from Island, San Juan, Skagit, and Whatcom counties.

*Division II* is based in Tacoma and consists of seven (7) judges from three (3) districts: three (3) from Pierce County, two (2) from Clallam, Grays Harbor, Jefferson, Kitsap, Mason, and Thurston counties, and two (2) from Clark, Cowlitz, Lewis, Pacific, Skamania, and Wahkiakum counties.

*Division III* is based in Spokane and consists of five (5) judges from three (3) districts: two (2) from Ferry, Lincoln, Okanogan, Pend Oreille, Spokane, and Stevens counties, one (1) from Adams, Asotin, Benton, Columbia, Franklin, Garfield, Grant, Walla Walla, and Whitman counties, and two (2) from Chelan, Douglas, Kittitas, Klickitat and Yakima counties.

### **Jurisdiction**

Most cases appealed from superior courts go directly to the Court of Appeals, though certain specific types of cases go directly to the Supreme Court. The Court of Appeals is a non-discretionary appellate court—it must accept all appeals filed with it. The Court of Appeals has authority to reverse, remand, modify, or affirm the decision of the lower court.

The court decides each case after reviewing the transcript of the record in the superior court and considering the arguments of the parties. Generally, the court hears oral arguments in each case but does not take live testimony (Washington State Constitution [Article IV, Section 30](#); RCW [2.06.030](#)).

## Eligibility Requirements

A judge of the court of appeals must be an attorney admitted to practice law in the state of Washington for not less than five (5) years and must be a resident of the district from which that position was drawn for one (1) year or more at the time of the appointment or initial election (RCW [2.06.050](#)).

## Term of Office

Judges are elected for six (6) year terms commencing the second Monday in January after their election. The terms are staggered to ensure that all judges are not up for reelection at the same time and a specific number of judges must be elected from districts from each Division (RCW [2.06.070](#)).

Like superior court judges and the supreme court justices, judges of the court of appeals are required by law to retire from their judicial office at the end of the calendar year in which they attain the age of seventy-five (75) years (Washington State Constitution [Article IV, Section 3\(a\)](#); RCW [2.06.100](#)).

## Salary of Judges

The annual salary of judges is established by the Washington Citizens' Commission on Salaries for Elected Officials (RCW [2.06.062](#)). The annual salary for a court of appeals judge is set at \$156,328 (<http://www.salaries.wa.gov/salary.htm>).

## Selection Process

### ELECTION

Candidates run in one of three county groupings, or districts, within each division (RCW [2.06.070](#); RCW [2.06.020](#)).

All candidates for a Court of Appeals position appear on the primary ballot. If any candidate receives more than fifty (50%) percent of the vote for that position in the primary, he or she goes on the general election ballot alone. If no candidate receives a majority, the two candidates receiving the highest number of votes go on the general election ballot (Secretary of State: [http://www.secstate.wa.gov/elections/np\\_process.aspx](http://www.secstate.wa.gov/elections/np_process.aspx)).

#### APPOINTMENT

If a vacancy occurs, the governor appoints a person to hold the position until the next general election. The judge elected at the next general election holds the position for the remainder of the unexpired term (RCW [2.06.080](#)).

#### JUDGE PRO TEMPORE

The chief justice of the supreme court of the state of Washington may appoint any regularly elected and qualified judge of the superior court or any retired judge of a court of record in this state to serve as judge pro tempore of the court of appeals; such judge may serve for no more than 90 days in any calendar year. A judge pro tempore also may be authorized whenever a judge of the court of appeals or the superior court serves on a judicial commission, board, or committee established by the legislature or the chief justice of the supreme court (RCW [2.06.150](#); RCW [2.56.170](#)).

## SUPERIOR COURT

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One hundred eighty eight (188) judges serve on the Superior Court. All superior courts are grouped into single or multi-county districts. There are thirty-two (32) judicial districts in Washington State. Counties with large populations usually comprise one district, while in less-populated areas a district may consist of two or more counties. A superior court is located in each of Washington's thirty-nine (39) counties. In rural districts, judges rotate between their counties as needed. Each county courthouse has its own courtroom and staff. The statutes also establish the number of superior court judgeships authorized in each judicial district (RCW [2.08.061](#) through RCW [2.08.065](#)). See Appendices B and C.

### **Jurisdiction**

Because there is no limit on the types of civil and criminal cases heard, superior courts are called general jurisdiction courts (Washington State Constitution [Article IV, Section 6](#)). Superior courts also have authority to hear cases appealed from courts of limited jurisdiction (RCW [2.08.020](#)).

The superior courts have original jurisdiction in all cases in equity and in all cases at law which involve (RCW [2.08.010](#)):

- the title or possession of real property;
- the legality of any tax, impost, assessment, toll or municipal fine;
- criminal cases amounting to felony;
- cases of misdemeanor not otherwise provided for by law;
- actions of forcible entry and detainer;
- proceedings in insolvency;
- actions to prevent or abate a nuisance;

- probate;
- divorce and annulment of marriage;
- exclusive jurisdiction over juvenile matters, including criminal and civil dependency; and
- for such special cases and proceedings as are not otherwise provided for.

The superior courts also have original jurisdiction in all cases and of all proceedings in which jurisdiction has not been vested exclusively in some other court, as well as the power of naturalization and the power to issue papers therefor. Superior courts have power to issue writs of mandamus, quo warranto, review, certiorari and prohibition. They have the power to issue writs of habeas corpus when petitioned by or on behalf of any person who is in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued on legal holidays and nonjudicial days.

### **Eligibility Requirements**

A judge of the superior court must be an attorney admitted to practice law in Washington State courts (Washington State Constitution [Article IV, Section 17](#)).

### **Term of Office**

The judges of the superior court are elected for four (4) year terms, beginning on the second Monday in January after their election, and until their successors are elected and qualified (RCW [2.08.070](#)).

If a vacancy occurs in the office of judge of the superior court, the governor appoints a person to hold the office until the next general election. The judge holds the office for the remainder of the unexpired term (RCW [2.08.120](#)).

### **Salary of Judges**

#### **SUPERIOR COURT JUDGE**

The annual salary of judges is established by the Washington Citizens' Commission

on Salaries for Elected Officials (RCW [2.08.092](#)). The annual salary for a superior court judge is \$148,832 (<http://www.salaries.wa.gov/salary.htm>).

#### JUDGE PRO TEMPORE

A judge pro tempore, who is a practicing attorney and who is not a retired justice or judge of a superior court of the state of Washington, or who is not an active judge of a court of the state of Washington, receives compensation of one-two hundred fiftieth (1 /250th) of the annual salary of a superior court judge for each day engaged in trial, paid in the same manner as the salary of the superior judge.

A judge who is an active full-time judge of a court of the state of Washington receives no compensation as judge pro tempore. A judge who is an active part-time judge of a court of the state of Washington may receive compensation as a judge pro tempore only when sitting as a judge pro tempore during time for which he or she is not compensated as a part-time judge.

A justice or judge who has retired from the supreme court, court of appeals, or superior court of the state of Washington receives compensation as a judge pro tempore in the amount of sixty percent (60%) of the amount payable to a judge pro tempore under this section, provided that a retired justice or judge may decline to accept compensation (RCW [2.08.180](#)).

### **Selection Process**

#### ELECTION

Superior court judges are elected from each judicial district and serve for a term of four (4) years from the second Monday in January next succeeding their election (Washington State Constitution [Article IV, Section 5](#); RCW [2.08.060](#); RCW [2.08.070](#)). All judges at the superior court level stand for election in Presidential election years.

When there are two or more candidates for a superior court judge position and one candidate receives more than fifty percent (50%) of the vote, that candidate is elected in the primary and does not appear on the general election ballot provided no write-in candidate submits a petition of 100 valid signatures within ten (10) days after the primary (Washington State Constitution [Article IV, Section 29](#)).

When there are more than two candidates in the primary and no candidate receives more than fifty percent (50%) of the vote, the two candidates receiving the highest number of votes go on the general election ballot.

If there is only one candidate for superior court judge, the rules differ depending on the population of the county (Secretary of State:

[http://www.secstate.wa.gov/elections/np\\_process.aspx](http://www.secstate.wa.gov/elections/np_process.aspx)):

Less than 100,000 residents: The candidate appears on both the primary and the general election ballot.

More than 100,000 residents: \*If no other person has filed for the position by the end of the candidate withdrawal period, the candidate is automatically issued a certificate of election and does not appear on either the primary or general election ballot.

\*Benton, Clark, King, Kitsap, Pierce, Skagit, Snohomish, Spokane, Thurston, Whatcom, and Yakima (Office of Financial Management Population Report - April 1, 2005).

#### APPOINTMENT

If a vacancy occurs, the governor appoints a person to hold the position until the next general election. The judge elected at the next general election holds the position for the remainder of the unexpired term (RCW [2.08.120](#)).

#### JUDGE PRO TEMPORE

Each county has its own process for appointing a judge pro tempore. Applicants are advised to check with their local superior court regarding qualifications and process.

For example, the 2006 announcement for judges pro tempore from Benton/Franklin Counties provides that the successful candidates will be placed on a list and called to duty as needed. The announcement lists the minimum requirements and requests a letter of interest and resume as a first step in the process. See APPENDIX D. Also see Pierce County: <http://www.co.pierce.wa.us/pc/services/lawjust/applicationprotems.htm>.



A superior court may appoint a judge pro tempore during temporary absences of a judge while serving on a judicial commission, board, or committee established by the legislature or the chief justice of the Supreme Court (RCW [2.56.170](#)).

#### CREATION OF ADDITIONAL JUDGESHIPS

When additional judgeships are created, the governor appoints a person to hold the office until the next general election, and the judge so elected holds office for the remainder of the unexpired term (RCW [2.08.069](#)).

## SUPERIOR COURT COMMISSIONER

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There are two types of commissioners: constitutional commissioners (Washington State Constitution [Article IV, Section 23](#)) and statutory commissioners. Statutory commissioners' duties encompass the duties of constitutional commissioners as well as family law commissioners (RCW [26.12.050](#)) and criminal commissioners in counties with a population of 400,000 or more (RCW [2.24.010](#)).

Constitutional commissioners are limited to three commissioners at any one time in a county's superior court (Washington State Constitution [Article IV, Section 23](#)). There is no limit on the number of statutory commissioners in a county's superior court, but the county legislative authority must approve the creation of the positions.

An aggrieved party may move to revise the commissioner's decision by a superior court judge or may seek appellate review (RCW [2.24.050](#)).

### **Jurisdiction**

Constitutional commissioners have authority to perform like duties as superior court judges at chambers, subject to revision by such judges, to take depositions and to perform other business connected with the administration of justice (Washington State Constitution [Article IV, Section 23](#)).

Family law statutory commissioners may be appointed to perform duties authorized to constitutional commissioners (RCW [2.24.040](#)) or duties related to family court, including family law, mental illness and juvenile matters (RCW [26.12.060](#)).

Criminal commissioners are authorized to preside over arraignments, preliminary appearances, initial extradition hearings, noncompliance proceedings, accept pleas if authorized by local court rules, appoint counsel, make determinations of probable cause, set amend and review conditions of pretrial release, set bail, set trial and hearing dates, authorize continuances and accept waivers of the right to speedy trial (RCW [2.24.010](#)).

### **Eligibility Requirement**

Requirements may vary depending on the position being sought: constitutional or

statutory commissioner or commissioner pro tempore. Applicants are encouraged to check with their local superior court. See Appendix E for an example of a King County family law commissioner announcement.

### **Term of Office**

Because terms vary, applicants are advised to check with their local courts. For example, in King County Superior Court, most commissioners serve at the pleasure of the judges as at will appointees.

Successful applicants may be placed on a list maintained by the court and are called to duty as needed, or they may be scheduled for calendars on a relatively regular, but part-time schedule.

### **Salary of Commissioners and Commissioner Pro Tempore**

Salaries for commissioners and commissioners pro tempore are established by the county legislative authority and are compensated from county funds. The salaries for commissioners usually range between eighty percent (80%) and ninety-five percent (95%) of superior court judges' salaries. Commissioners pro tempore are remunerated on an hourly basis.

### **Appointment Process**

The superior court has the authority to appoint a commissioner pro tempore to serve during temporary absences of regularly appointed commissioners (*Ordell v. Gaddis*, 99 Wn.2d 409, 662 P.2d 49 (1983)). Each county has its own process for appointing commissioners and commissioners pro tempore. Applicants should check with their local superior court administrator or clerk regarding the process.

The process stated below is based on the King County Superior Court selection process for a family law commissioner and should be viewed as an example only:

- Position announcement in Bar News, state court website and other outlets.
- Applications are screened for minimum qualifications by court staff.

- Applicants are screened for past disciplinary action by the WSBA.
- Family Law Section of KCBA reviews applications, interviews applicants and submits written summaries on each applicant to the Judges' Selection Committee.
- Judges' Selection Committee reviews applications, narrows the number of applicants, interviews a number of applicants and then submits its recommendation to the full court for second interviews.
- The full court makes the selection.

In the King County Superior Court job announcement in 2010 for commissioners pro tempore, the minimum requirements for opportunities to serve as pro tempore commissioners in family law, juvenile court, ex parte and probate, and civil commitment proceedings varied by calendar. All included membership in good standing with the Washington State Bar Association, with no history of discipline by the Washington State Bar Association; and in family law, for example, at least five years' experience practicing in the area of family law under RCW Title 26, with at least fifty percent (50%) of the applicant's current practice in family law. Applicants also needed to meet the requirements of RCW [2.24.010](#), complete a criminal records background check form and a WSBA release, and participate in training. See Appendix E for the application.

## DISTRICT COURT

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The number of district court judges in each county is prescribed by statute (RCW [3.34.010](#) and [3.34.020](#)) as is the number of district court judges which must be full-time and part-time (RCW [3.34.020](#) and RCW [3.34.040](#)).

A district with a population of forty thousand (40,000) or more must elect a full-time judge (RCW [3.34.040](#)).

By statute, the total number of full-time and part-time district court judges by county is set at one hundred and twenty (120) judges (RCW [3.34.010](#)). See Appendix F. Any changes to the total number after January 1, 1992 may only be made by the legislature upon recommendation of the Supreme Court in a year in which the quadrennial election for district court judges is not held (RCW [3.34.020](#)).

District court districts are established in accordance with the following standards (RCW [3.38.050](#)):

- Every part of the county shall be in some district.
- The whole county may constitute one district.
- There shall not be more districts than there are judges authorized for the county.
- A district boundary shall not intersect the boundary of an election precinct.
- A city shall not lie in more than one district.

A joint district is established by resolution of one county concurred in by a resolution of each other county. The county legislative authority of a county containing the largest portion of the population of a city may include the portions of such city lying outside the county in a joint district without concurrence of the other counties (RCW [3.38.060](#)).

## Jurisdiction

### CRIMINAL

The district court has concurrent jurisdiction with the superior court over misdemeanors and gross misdemeanors in their respective counties and of all violations of city ordinances. The district court judges also may conduct preliminary hearings in felony cases and the judges may take recognizance, approve bail, and arraign defendants held within its jurisdiction on warrants issued by other courts of limited jurisdiction (RCW [3.66.060](#); [CrRLJ 3.2.1\(d\)](#)).

### CIVIL

The district court has jurisdiction over civil actions involving amounts which do not exceed seventy-five thousand dollars (\$75,000) in the following proceedings (RCW [3.66.020](#)):

- Actions arising on contract for the recovery of money;
- Actions for damages for injuries to the person, or for taking or detaining personal property, or for injuring personal property, or for an injury to real property when no issue raised by the answer involves the plaintiff's title to or possession of the same and actions to recover the possession of personal property;
- Actions for a penalty;
- Actions upon a bond conditioned for the payment of money, when the amount claimed does not exceed fifty thousand dollars (\$50,000), though the penalty of the bond exceeds that sum, the judgment to be given for the sum actually due, not exceeding the amount claimed in the complaint;
- Actions on an undertaking or surety bond taken by the court;
- Actions for damages for fraud in the sale, purchase, or exchange of personal property;

- Proceedings to take and enter judgment on confession of a defendant;
- Proceedings to issue writs of attachment, garnishment and replevin upon goods, chattels, moneys, and effects;
- Actions arising under the provisions of chapter [19.190](#) RCW;
- Proceedings to civilly enforce any money judgment entered in any municipal court or municipal department of a district court organized under the laws of this state; and
- All other actions and proceedings of which jurisdiction is specially conferred by statute, when the title to, or right of possession of, real property is not involved.

#### TRAFFIC INFRACTIONS

The district court also has jurisdiction over traffic infraction cases (RCW [3.66.060\(5\)](#); RCW [46.63.040](#)).

#### ANTI-HARASSMENT ORDERS

May be issued by the district court (RCW [10.14.160](#)).

#### NAME CHANGE PETITIONS

Name changes may be granted in district court (RCW [4.24.130](#)).

#### SMALL CLAIMS

Small claims courts, which are departments of the district courts, have jurisdiction concurrent with the district courts over civil matters in which the amount in controversy is five thousand dollars (\$5,000) or less (RCW [12.40.010](#)).

#### ELIGIBILITY REQUIREMENTS

To be a district court judge, the candidate must be an attorney admitted to practice law in the state of Washington and a registered voter of the district court district and electoral district, if any (RCW [3.34.060](#); RCW [3.30.015](#)).

#### TERM OF OFFICE

District court judges are elected in each district court district from a nonpartisan ballot for a term of four (4) years with the term commencing the second Monday in January succeeding their election (RCW [3.34.050](#); RCW [3.34.070](#)).

### Salary of Judges

#### FULL-TIME

The annual salary of judges is established by the Washington Citizens' Commission on Salaries for Elected Officials (RCW [3.58.010](#)). The annual salary for a district court judge is set at \$141,710 (<http://www.salaries.wa.gov/salary.htm>).

District court judges are paid monthly by the county treasurer from the same fund from which other salaried county officers are paid (RCW [3.58.030](#)).

#### PART-TIME

The annual salaries of part-time district court judges are set by the Washington Citizens' Commission on Salaries for Elected Officials (RCW [3.58.020](#)). The salary of part-time district court judges is a proportion of full-time work for which the position is authorized, multiplied by the salary for a full-time district court judge (1992 Attorney General Opinion No. 13).

#### JUDGE PRO TEMPORE

The salary of a judge pro tempore is set by the county legislative authority (RCW [3.34.130](#)).

### Selection process

#### ELECTION

Judges are elected for each district and electoral district, if any, by voters of the district in the same manner as judges of courts of record are elected, except as provided in chapter [29A.52 RCW](#) (RCW [3.34.050](#)).

#### VACANCIES

If a district court position becomes vacant, the county legislative authority appoints



a replacement. The appointed judge holds the office until the next general election and until a successor is elected and qualified. However, if a vacancy in the office of district court judge occurs and the total number of district court judges remaining in the county is equal to or greater than the number of district court judges authorized in RCW [3.34.010](#) then the position remains vacant. District court judges are granted sick leave in the same manner as other county employees and when leaving office, a district court judge may receive remuneration for unused accumulated leave and sick leave up to a statutory limit (RCW [3.34.100](#)).

#### APPOINTMENT OF JUDGE PRO TEMPORE

Each district court may designate one or more persons as judge pro tempore to serve during the temporary absence, disqualification, or incapacity of a district court judge or to serve as an additional judge for excess caseload or special set cases (RCW [3.34.130](#)).

Qualifications of a judge pro tempore are the same as for a district court judge, except that the person appointed need only be a registered voter of the state not the court district (RCW [3.34.130](#)).

A district that has a population of less than ten thousand (10,000) and no person available who meets the qualifications under RCW [3.34.060](#)(2)(a) or (b) may appoint as a pro tempore judge a person who has taken and passed the qualifying lay judicial officer examination for the office of district court judge before January 1, 2003 (RCW [3.34.130](#)).

Judges pro tempore are generally appointed by the presiding judge (RCW [3.02.060](#); RCW [3.50.090](#)). Each county has its own process for appointing judge pro tempore. Applicants are advised to check with their local district court regarding qualifications and process when a position becomes available.

For example in King County District Court:

- Interested attorneys applicants, are advised to convey their interest to judges or to the district court clerk or administrator;

- The applicants names are collected;
- Interested applicants will then be invited via post card/letter to attend a two day training session usually given once a year;
- Reservations for the two day training session is limited to the first twenty-five respondents;
- Once the applicants successfully complete the two day training session, they will be placed on a list;
- When a judge pro tempore is required by the judge or court manager, the list is circulated and the judge or court manager selects the successful candidate from the list.

## DISTRICT COURT COMMISSIONER

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District court commissioners are appointed by the judges of that court and hold office at the pleasure of the appointing judges (RCW [3.42.010](#)).

A commissioner pro tempore may be appointed to serve during temporary absences of regularly appointed commissioners.

### **Jurisdiction**

District court commissioners have the same power, authority, and jurisdiction in criminal and civil matters as the appointing judges possess, except that the commissioner does not have the authority to preside over trials in criminal matters or jury trials in civil matters unless the parties agree on the record (RCW [3.42.020](#)).

### **Eligibility Requirements**

A commissioner must be a registered voter of the county in which the district is located. A commissioner must be a lawyer licensed to practice law in Washington (RCW [3.34.060](#)).

### **Term of Office**

District court commissioners hold office at the pleasure of the appointing judges (RCW [3.42.010](#)).

### **Salary of Court Commissioner**

District court commissioners receive compensation as provided by the county legislative authority or city council (RCW [3.42.040](#)).

### **Selection Process**

Each county has its own process for appointing district court commissioners and commissioners pro tempore. Applicants are advised to check with their local

district court administrator or clerk regarding the process when a position becomes available.

The following is an example of a process followed for their 2006 Commissioner selection in King County:

- Commissioner position announcement requests an application form, a letter of interest and resume, states the minimum qualifications sought, lists the essential functions of the position, and shows the annual salary.
- Review of resumes by the Executive Committee.
- Narrow the number of applicants for interviews by the Executive Committee.
- Narrow the number of applicants by the Executive Committee and recommend the applicants to the chief presiding judge.
- The chief presiding judge interviews and selects the successful applicant.

## MUNICIPAL COURT

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Municipal courts are legislatively created inferior or limited jurisdiction courts having exclusive original jurisdiction over crimes and infractions that are violations of city ordinances. Cities are responsible for the prosecution, adjudication sentencing and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their jurisdiction (RCW [39.34.180](#)).

### **Statutory Municipal Court Models**

Cities with Population of 400,000 or less - The Court Improvement Act of 1984 ([Title 3 RCW](#)) provides the following court options for cities with populations of 400,000 or less. Cities may:

- Create a stand-alone part-time or full-time court (RCW [3.50.010](#)). The part-time appointed judge can be a district court judge (RCW [3.50.040](#)).
- Enter into an Inter-local Agreement with the District Court or another municipal court to adjudicate cases or provide court services and facilities (RCW [3.50.815](#); RCW [39.34.180](#)).
- Create a Municipal Department of the District Court, if done before July 1, 2008. Existing municipal departments are grandfathered in (Chapter [3.46 RCW](#)).

### CITIES WITH POPULATION OF MORE THAN 400,000 - SEATTLE MUNICIPAL COURT

Currently the city of Seattle is the only city in Washington with a population of over 400,000 people. Seattle Municipal Court is governed by Chapter [35.20 RCW](#). The court is organized by departments and judicial officers include traffic magistrates.

### **Jurisdiction**

Municipal courts have jurisdiction over criminal, traffic, and civil matters

arising from violations of municipal ordinances (RCW [3.50.020](#); RCW [35.20.30](#)). Municipal courts may issue anti-harassment orders when authorized by local court rule (RCW [10.14.160](#)).

## Eligibility Requirements

### DEPARTMENT

A person need not be a resident of the city in which the department is created, but must be a resident of the county in which the city is located (RCW [3.46.067](#) now repealed, but the provisions of Chapter [3.46 RCW](#) continue to apply to those municipalities continuing to operate municipal departments in existence prior to July 1, 2008).

### POPULATION OF 400,000 OR LESS

A judge must be a citizen of the United States and the state of Washington, a lawyer licensed to practice law in Washington, and reside in the county in which the court is located (RCW [3.50.057](#)). A part-time judge need not live in the city where the court is located or live within the county, as long as no court commissioner has been appointed (RCW [3.50.075](#)).

A judge pro tempore must be a citizen of the United States and of the state of Washington and an attorney admitted to practice law in Washington, but need not be a resident of the city or county in which the municipal court is located (RCW [3.50.090](#)).

### POPULATION OF MORE THAN 400,000 (SEATTLE)

Judges and judges pro tempore must be a resident of the city of Seattle and admitted to the practice of law in Washington (RCW [35.20.170](#); RCW [35.20.200](#)).

### TERM OF OFFICE

The term for a municipal court judge, whether elected or appointed, is for four (4) years commencing on January 1 (RCW [3.50.040](#)).

### SALARY OF JUDGES

Municipal court salaries are set by city ordinance. If the city wishes to qualify for state contribution to the salary of its judge or judges, the judge must be elected

and the salary must be set at not less than ninety five percent (95%) nor more than one hundred percent (100%) of the salary of a district court judge. The city must place an equivalent amount into a Trial Court Improvement Account to fund improvements to the municipal court's staffing, programs, facilities, or services (RCW [3.50.480](#)).

#### POPULATION OF 400,000 OR LESS

The salary is fixed by city ordinance (RCW [3.50.080](#)).

#### POPULATION OF MORE THAN 400,000

The salary is set by the legislative authority and cannot be greater than the salary paid to superior court judges for the county in which the court is located (RCW [35.20.160](#)).

### **Selection Process**

#### ELECTION

In cities with a population of over 400,000, full-time judges must be elected (RCW [35.20.150](#)).

In cities of 400,000 or less, each full-time equivalent judicial position is filled by election. This requirement applies regardless of how many judges are employed to fill the position. A full-time equivalent position is thirty-five (35) or more hours per week of compensated time (RCW [3.50.055](#)). In cities with one or more full-time equivalent judicial position, any additional judicial position or positions that is or are in combination equal to or greater than one-half of a full-time equivalent position must also be elected.

#### APPOINTMENT

Part-time judicial positions not governed by RCW [3.50.055](#) are appointed by the mayor, with the legislative authority having the general power of confirmation. The mayor may appoint an elected district court judge to serve as judge of a municipal court if the position is not full-time (RCW [3.50.040](#)).

#### JUDGE PRO TEMPORE

The presiding municipal court judge may designate one or more persons as judges

pro tempore to serve in the absence or disability of the elected or appointed judges of the court or when the administration of justice and the accomplishment of the work of the court make it necessary (RCW [3.02.060](#); RCW [3.50.090](#); RCW [35.20.200](#)).

A judge pro tempore also may be authorized whenever a judge of the municipal court serves on a judicial commission, board, or committee established by the legislature or the chief justice of the Supreme Court (RCW [3.02.060](#)).

Each city has its own process for appointing judges and judges pro tempore. Applicants are advised to check with their local municipal court administrator or clerk regarding the process when a position becomes available.

#### MAGISTRATE

The position of magistrate is authorized only in cities with a population of more than 400,000 (Chapter [35.20 RCW](#)).



## MUNICIPAL COURT COMMISSIONER

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For departments of the district court, the provisions for district court commissioners apply (RCW [3.42](#)). Municipal court commissioners and commissioners pro tempore serve at the pleasure of the presiding judge. A municipal court judge may appoint one or more court commissioners to assist with the workload of the court (RCW [3.50.075](#)).

### **Jurisdiction**

A municipal court commissioner is authorized to hear and dispose of cases, but does not have authority to preside over trials in criminal matters, or jury trials in civil matters unless agreed to on the record by all parties (RCW [3.50.075\(4\)](#)).

### **Eligibility Requirements**

#### POPULATION OF 400,000 OR LESS

A municipal court commissioner must be a lawyer licensed to practice law in Washington State (RCW [3.50.075](#)). A commissioner need not reside in the city or the county in which the municipal court is created.

#### POPULATION OF MORE THAN 400,000

A municipal court commissioner must be a registered voter of the city and a lawyer admitted to practice law in Washington (RCW [35.20.155](#)).

#### SELECTION/APPOINTMENT OF COURT COMMISSIONER/ COMMISSIONER PRO TEMPORE

Generally, municipal court commissioners are appointed by the presiding judge. Each court has its own process for appointing commissioners and commissioners pro tempore. Applicants are advised to check with their local municipal court regarding qualifications and process when a position becomes available.

## ADMINISTRATIVE LAW JUDGE

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Administrative law judges are members of the executive branch of government and are not protected by or privileged to the same rights as judges under the judicial branch of government.

### **Jurisdiction**

An Administrative law judge (ALJ) is an official who presides at administrative hearings to resolve disputes between government agencies and anyone affected by the decisions of that agency. The ALJ is the initial trier of fact and decision maker. An ALJ can administer oaths, take testimony, rule on questions of evidence, and make factual and legal determinations.

Procedures for reviewing an ALJ's decision vary depending upon the agency. Agencies generally have an internal appellate body. After the internal agency appeals have been exhausted, a party may have the right to file an appeal in the courts. Relevant statutes usually require parties to exhaust all administrative appeals before they are allowed to sue an agency in court. Adjudicatory proceedings are governed by RCW [34.05.413](#) through [34.05.476](#).

### ADJUDICATORY AGENCIES

There are approximately twenty (20) adjudicatory agencies in Washington State. See APPENDIX G: List of Adjudicatory Agencies. Please be advised that the contact person listed may have changed since its last update on July 1, 2010.

### OFFICE OF ADMINISTRATIVE HEARINGS

The Office of Administrative Hearings was legislatively created in 1981 to direct administrative hearings independent of state administrative agencies (RCW [34.12.010](#)). It currently holds administrative hearings for over forty (40) agencies.

### OTHER AGENCIES AND POSITIONS

Many other agencies use hearing officers as adjudicators within their own organizations. Examples include Health Law Judges at the Department of Health and

Industrial Appeals Judges at the Board of Industrial Appeals. If you are interested in an agency other than the Office of Administrative Hearings, you should contact the office directly for more information.

#### QUALIFICATIONS

There are three qualifications listed on the Office of Administrative Hearings' website: a minimum of five years experience as an attorney; active or judicial member of the Washington State Bar Association or such a member of any state's bar association; and demonstrated knowledge of administrative law and procedures. See Appendices I.

### **Appointment Process**

#### ANNOUNCEMENTS

Positions for administrative law judge and ALJ Pro tempore are posted on the Office of Administrative Hearing website and filled as needed. Check their website for regular updates: <http://www.oah.wa.gov/careers.shtml>.

#### APPLICATION PROCESS

To apply, submit a letter of interest, a resume, a completed Application for State Jobs (<http://www.dop.wa.gov/pages/forms.aspx>) and a list of three professional references to:

Human Resources  
Office of Administrative Hearings  
PO Box 42488  
Olympia WA 98504-2488

Applications are kept on file for at least six months and considered as openings occur.

### **Selection process**

Applications for administrative law judge positions are evaluated by the Office of Administrative Hearings and all appointments are announced by the chief administrative law judge in accordance with RCW [34.12.030](#).

PRO TEMPORE POSITIONS WITH OFFICE OF ADMINISTRATIVE HEARING  
OAH has pro tempore positions in field offices around the state. The expectations regarding type of work and number of available hours for pro tempore positions vary from office to office. For more information about pro tempore positions, contact the Assistant Deputy Chief ALJ in the OAH field office in which you are interested in working or Deputy Chief ALJs, at 360.664.8717.

## TRIBAL COURTS

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Tribal courts, including the jurisdiction they exercise and the manner in which judicial officers are selected, differ throughout the nation. Each tribal government determines the makeup, jurisdiction and powers of its own court. For instance, a tribe may require tribal membership for its Peace Keeper or Court of Elders, while others may not have such a requirement.

For tribes following a western model, the trial and appellate courts will have their own unique requirements for becoming one of their judges. In some cases, tribes will contract with the Northwest Intertribal Court System (NICS), in Lynnwood, Washington for pro tem or full-time trial and appellate court judges. Interested parties should contact NICS for further information.

### **Jurisdiction**

Jurisdiction both internally and externally vary by tribe. A tribe may exercise original or exclusive jurisdiction over certain kinds of cases, while other types of cases may be determined in federal or state court. Therefore, a thorough knowledge of federal Indian law is the first step in understanding tribal jurisdiction.

### **Selection Process**

#### ELECTION

The Central Council of Tlingit and Haida Indian Tribes of Alaska has over 5,000 members living in Washington State. Their constitution and election bylaws allow the election of three judges from the legislative body, the General Assembly. We have been unable to confirm if any other Washington tribe requires this process.

#### APPOINTMENT

If a vacancy occurs, the tribe's judiciary committee is generally charged with advertising, screening and recommending a candidate to the executive committee. The executive committee will make the final determination including the terms of office and salary.

#### GENERAL REQUIREMENTS

In your application letter and resume, there should information regarding:

- Education and experience in Federal Indian law including those statutes that have unique application regarding tribal governments;
- Admission to the practice of law including tribal courts;
- Experience with tribal legislative, executive or judicial branches of government;
- Experience in federal or state government;
- Experience in the practice of law including criminal law, substance abuse, juvenile and domestic violence cases; and
- Education.

## ELECTION FILING REQUIREMENTS

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Candidates are required to submit a “Declaration of Candidacy” form, which is available at the Office of the Secretary of State and county auditors’ offices (RCW [29A.24.031](#)). [http://www.sos.wa.gov/assets/elections/02-10%20DeclarationCandidacy\\_Final.pdf](http://www.sos.wa.gov/assets/elections/02-10%20DeclarationCandidacy_Final.pdf)

### **Dates to File the Declaration of Candidacy**

The filing period starts on the first Monday in June and ends the following Friday. Candidate filings may be accepted by mail ten (10) business days before the regular filing period and must be received by end of business on the last day of the filing period. Candidates filing with the Office of the Secretary of State may file online (RCW [29A.24.040](#)).

### **Where to File the Declaration of Candidacy**

Declarations of Candidacy for judicial districts that cross county lines are filed with the Office of the Secretary of State. Candidates for judicial districts within one county have the choice of filing with either the Office of the Secretary of State or the county auditor (RCW [29A.24.070](#)).

Candidates filing with the Office of the Secretary of State may file online at <http://wei.secstate.wa.gov/osos/en/CandidateInfo/Pages/FilingforElectiveOffice.aspx> beginning at 9:00 a.m. on the first Monday in June through 4:00 p.m. the following Friday. In the case of a special filing period, filings made via the Internet may be submitted beginning at 9:00 a.m. the first day of the special filing period through 4:00 p.m. the last day of the special filing period.

### **Filing Fees**

Candidates must submit a filing fee along with the Declaration of Candidacy, equal to one percent (1%) of the annual salary for the office. A fee schedule is available at <http://wei.secstate.wa.gov/osos/en/CandidateInfo/Pages/FilingforElectiveOffice.aspx>. Filing fees are not refundable (RCW [29A.24.091](#)).

## **Indigent Candidates**

Candidates who do not have sufficient assets or income to pay the filing fee shall submit a “Filing Fee Petition” form, which requires signatures of registered voters in lieu of the filing fee. The filing fee petition must contain at least one valid signature for each dollar of the required filing fee. Candidates are not permitted to pay part of the fee and submit the balance in petition signatures (RCW [29A.24.091](#), [29A.24.101](#), [29A.24.111](#), [29A.84.261](#)). <http://www.secstate.wa.gov/elections/pdf/CandidateFilingFeePetition2.pdf>

## **Withdrawals**

A candidate may withdraw his or her Declaration of Candidacy until the close of business on the Thursday following the filing period. Candidates for city, town or special purpose district offices may withdraw at any time before the county auditor orders the primary ballots. All withdrawals must be made in writing and be received by the filing officer prior to the appropriate deadline (RCW [29A.24.120](#) and [29A.24.131](#)).

## **Vacancy in Candidacy**

A special three-day (3) filing period is required, if:

- no candidate has filed for a nonpartisan office, after the last day for candidates to withdraw, or
- all candidates who filed have died or been disqualified.

A three-day (3) filing period is also required whenever, before the 11th Tuesday prior to a primary or general election:

- A vacancy occurs in a nonpartisan office for which filings have not been held; or
- The single candidate for superior court judge dies or is disqualified.



If, after a special three-day (3) filing period held due to a void in candidacy, no candidate has filed for a city, town or district position, the election for such position shall be deemed lapsed. In such instance, the incumbent continues to serve until a successor is elected at the next election when such positions are voted upon (RCWs [29A.24.141](#), [29A.24.151](#), [29A.24.161](#), [29A.24.171](#), [29A.24.181](#), [29A.24.191](#) and [29A.24.201](#)).

### **Write-in candidates**

A person who desires to be a write-in candidate may file a “Declaration of Write-in Candidacy” with the appropriate filing officer: county auditor or the Office of the Secretary of State. The Declaration of Write-in Candidacy must be filed no later than the day before the election (RCWs [29A.24.311](#), [29A.24.320](#) and [29A.60.021](#)).

<http://www.secstate.wa.gov/elections/pdf/PrimaryWrite-InDeclaration.pdf>

<http://www.secstate.wa.gov/elections/pdf/GeneralWrite-InDeclaration.pdf>

### **Voters’ Pamphlet Information**

Candidates for the Supreme Court, Court of Appeals and Superior Court are eligible for inclusion in the official state voters’ pamphlet published by the Office of the Secretary of State. Candidate statements and photographs should be submitted with the Declaration of Candidacy at the time of filing. Information regarding electronic voter guides is made available to candidates at the time of filing (Chapter [29A.32 RCW](#)).

Persons filing for county or city judicial position should check with the county auditor about the availability and requirements of local voters’ pamphlets.

### **Public Disclosure Commission (PDC)**

“Starting Off on the Right Foot: Answers to Questions Frequently Asked by First Time Candidates.” <http://www.pdc.wa.gov/archive/guide/brochures/pdf/2010/2010.Bro.Canfoot.pdf>

<http://web.pdc.wa.gov/archive/guide/brochures/pdf/2007/Loc&JudManual.pdf>

## Contributions

Effective June 6, 2006 (<http://web.pdc.wa.gov/filers/candidates.aspx?type=local>), contributions to judicial officers are limited to \$1,600 per election. For example a person may contribute up to \$1,600 for the primary election and another \$1,600 for the general election. A loan to the campaign by anyone other than the candidate, including a spouse, is also subject to the contribution limit of \$1,600 per election.

A candidate may contribute unlimited personal funds to his or her own campaign. However, the limit that a candidate may be repaid for loans to the campaign is \$4,300 per election. Also, a candidate for Supreme Court justice may not, 21 days preceding the general election, contribute more than \$50,000 and a candidate for any other judicial office may not contribute more than \$5,000 to his/her own campaign.

If the candidate loses in the primary election and the candidate's authorized committee has insufficient funds to pay the primary debts outstanding, as of the date of the primary, the authorized committee may seek contributions up to 30 days after the date of the primary. Post-election contributions are also subject to the primary election limit of \$1,600. General election contributions must be made on or before November 30 of the election year.

Occasionally, a campaign receives funds from anonymous sources and is unable to determine who donated the money. The law allows campaigns to keep these anonymous contributions. Specifically, an authorized committee may receive as much as \$300 or one percent (1%) of the total contributions received in a calendar year, whichever is greater. (The one percent (1%) won't come into play until the campaign receives over \$30,000 in contributions during a calendar year.)

Contributions, other than money, have a dollar value equivalent to the fair market value of the item. If services or items are provided to a campaign at less than their fair market value, it must be reported as an in-kind contribution. Incidental in-kind contributions do not need to be reported or added into the contributor's contribution total if either singly or in conjunction with other in-kinds from the same contributor do not exceed \$25 in value.

## Summary of Campaign Disclosure Reports

PDC FORM	WHAT IT CONTAINS	WHEN IT'S DUE
<b>F-1: Financial Affairs Statement</b>	Sources of income, real estate transactions, bank accounts, stocks, debts owed, business holdings and business customers.	Within 2 weeks of becoming a candidate (incumbents who have a current report on file with PDC do not need to file another F-1 statement).
<b>C-1: Candidate Registration</b>	Office sought, reporting option, committee officers, treasurer's name, time, and place for public inspection of record.	Within 2 weeks of becoming a candidate. For PDC purposes, someone may become a candidate well before a formal declaration is filed with elections officials.
<b>C-3: Cash Receipts, Monetary Contributions</b>	Names of contributors, amounts, address, occupation, employer.	Bank deposits must be made within 5 business days of receipt. Complete a C-3 for each deposit and file the C-3 as follows:
<b>Schedule L ( Part 1)</b>	Name and address of contributor (lender), amount of the loan, interest rate, repayment schedule.	Prior to June 1, C-3 is due monthly; after June 1, file C-3 reports weekly on Monday. Other periods - file with C-4 reports.
<b>Attachment Au (Auction)</b>	Name and addresses of contributors donating and purchasing auction items.	
<b>C-4: Receipts and Expenditure Summary</b>	Total contributions and expenditures for campaign.	Due with initial C-1 report if contributions were received or expenditures made prior to registration and on the 10th of each month covering the proceeding months activity through June 10th of the election year.
<b>Schedule A</b>	Itemized expenses, contribution totals for period.	
<b>Schedule B</b>	In-kind contributions, pledges, orders placed.	21 days before primary 7 days before primary 10 - Post-primary report
<b>Schedule C</b>	Corrections, adjustments.	17 - 21 days before general 7 days before general
<b>Schedule L (Parts 2-4)</b>	Details regarding loan payments and loans forgiven and outstanding.	Post-general report

## **Mandatory Electronic Filing**

All candidates who expect to spend \$10,000 on the current campaign or who met the \$10,000 expenditure threshold in the last campaign for the same office are required to submit campaign finance reports electronically.

The PDC has developed free campaign finance reporting software, ORCA. Candidates can use the ORCA software to electronically file contribution and expenditure reports. The application is not campaign management software, it is designed specifically to meet the reporting requirements under Chapter [42.17 RCW](#).

The Commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports electronically. A candidate seeking an exception under RCW [42.17.3691](#) shall file with the PDC a written statement of reasons why the authorized committee lacks the ability to file reports electronically.

The computerized filing system has to be used at the beginning of the campaign, or, if used at a later date, then all contributor and expenditure data from the beginning of the campaign must be inputted into the system.

## **PDC Reporting Requirements**

Candidates who seek public office in jurisdictions that had 5,000 or more registered voters as of the last general election or in jurisdictions that encompass an entire county are subject to all provisions of the state public disclosure law. All records acquired with respect to the campaign must be kept for five (5) years from the date of the election.

Candidates who only use their own funds and do not accept contributions from others to conduct their campaigns must still keep records and file disclosure reports.

Candidates for some city offices, for example, City of Seattle offices, must also file disclosure reports with the city clerk based on city ordinance requirements. Check with your local city clerk to see if such a local ordinance applies to you.

## **Candidates Exempt from Reporting**

Candidates for offices in a city or other jurisdiction that had fewer than 5,000 registered voters as of the last general election and that do not encompass an entire county, are exempt, provided that the candidate does not receive or expect to receive contributions totaling more than \$5,000 over the course of the campaign (RCW [42.17.030](#)).

## **Public Inspection**

All candidates and political committees must keep accurate, detailed records and make these records available for public inspection during the eight (8) days preceding the primary, general or special election in which they are participating, and must be current within one (1) business day.

These books must be available for inspection on weekdays beginning on the eighth day before the election (excluding legal holidays) by appointment between 8 a.m. and 8 p.m. at the location designated by the campaign on the registration statement (C-1). A candidate must respond to a request for an appointment within 24 hours.

However, the separate list of contributors giving \$25 or less does not need to be included with the records open for public inspection. Also, the campaign is not required to make copies of its books, whether the books are kept on paper or in electronic form (RCW [42.17.065](#)).

## **Disposing of Surplus Campaign Funds**

Disposing of surplus campaign funds is controlled by the statutes governing campaign disclosure and contribution ([42.17 RCW](#); recodified as [42.17A RCW](#) effective January 1, 2012) and is further limited by the Code of Judicial Conduct.

RCW [42.17.095](#) provides that surplus campaign funds may be disposed of as follows:

- returned to contributors (so long as the amount returned to a donor does not exceed the aggregate contributed);
- transferred without limit to a political party or caucus political committee;
- held for use in a future campaign for election to the same office last sought (or a different office, if written approval from the contributors of the remaining funds is obtained);
- transferred to the candidate's personal account as payment for earnings lost as a result of campaigning, so long as the lost earnings can be documented, the payment does not exceed what the candidate would have otherwise earned, and all payments are properly recorded and reported;
- donated to a charitable organization registered with the Secretary of State in accordance with RCW [19.09](#);
- transmitted to the state treasurer for deposit in the general fund, the state legacy project, state library, and archives account under RCW [43.07.380](#), or the legislative international trade account under RCW [43.15.050](#), as specified by the candidate or political committee; and
- deposited into a separate Surplus Funds Account and used to pay non-reimbursed public office related expenses and for any of the six (6) purposes discussed above. <http://www.pdc.wa.gov/archive/pdf/surplusfunds.pdf>.

However, one or more of these statutorily authorized options conflicts with the Code of Judicial Conduct binding on judges and judicial candidates. Specifically, Rule 4.1 relating to political and campaign activities of judges and judicial candidates prohibits them from soliciting funds for, paying an assessment to, or making a contribution to a political organization or a nonjudicial candidate for public office.

## **Ending a Campaign before the Election is Held**

Occasionally, a candidate will register a campaign with the Public Disclosure Commission, accept contributions, and decide to end the campaign before the election is held. Follow these steps to dispose of remaining campaign funds when the campaign ends prematurely:

- Determine what contributions remain in the campaign account using the “first in, first out” method (i.e., starting with the most recent contributions received, determine which contributions remain unspent in the campaign account).
- Contributions can be returned to the contributor when the campaign ends or held in the campaign account until after the election is held, at which time they become surplus funds.
- A candidate who is subject to contribution limits and who ends the campaign before the primary election must immediately return any contributions that were received by the campaign and attributed to the general election.
- A candidate who prematurely ends a campaign in order to start a campaign for a different office may not automatically transfer remaining campaign funds to the new campaign (RCW [42.17.095](#)).

APPENDIX A: COURT OF APPEALS DIVISIONS  
OF WASHINGTON

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APPENDIX B: SUPERIOR COURT JUDICIAL DISTRICTS OF WASHINGTON



———— COUNTY BOUNDARIES

- - - - - JUDICIAL DISTRICT BOUNDARIES

## **Appendix C: Superior Court Judges by Judicial Districts of Washington**

(RCW [2.08.061](#) through [2.08.065](#))

King County: no more than fifty-eight (58) judges

Pierce County: no more than twenty-four (24) judges

Spokane County: no more than thirteen (13) judges

Chelan County: four (4) judges

Douglas County: one (1) judge

Clark County: ten (10) judges

Grays Harbor County: three (3) judges

Kitsap County: eight (8) judges

Kittitas County: two (2) judges

Lewis County: three (3) judges

Lincoln County: one (1) judge

Skagit County: four (4) judges

Walla Walla County: two (2) judges

Whitman County: one (1) judge

Yakima County: eight (8) judges

Adams County: one (1) judge

Whatcom County: three (3) judges

Benton and Franklin Counties: six (6) judges

Clallam County: three (3) judges

Jefferson County: one (1) judge

Snohomish County: fifteen (15) judges

Asotin, Columbia, and Garfield Counties: one (1) judge

Cowlitz County: five (5) judges

Klickitat and Skamania Counties: one (1) judge

Grant County: three (3) judges

Okanogan County: two (2) judges

Mason County: two (2) judges

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

Thurston County: eight (8) judges

Pacific and Wahkiakum Counties: one (1) judge

Ferry, Pend Oreille, and Stevens Counties: two (2) judges

San Juan County: one (1) judge

Island County: two (2) judges

## **Appendix D: Benton and Franklin Counties Judge Pro Tempore Announcement**

Superior Court of the State of Washington  
For Benton and Franklin Counties  
7122 W. Okanogan Pl, Kennewick, WA 99336

CRAIG J. MATHESON  
JUDGE

BENTON COUNTY JUSTICE CENTER  
FRANKLIN COUNTY COURTHOUSE  
TELEPHONE (509) 736-3071  
FAX (509) 736-3057

July 20, 2006

Dear Member of the Bar:

The Judges of the Benton and Franklin County Superior Court have decided to develop a program for the selection of Judge's Pro Tempore. The Court is seeking to develop a working list of approximately six Judge's Pro Tempore to regularly assist the Court in the Juvenile Division. We anticipate using Judge's Pro Tempore for Juvenile Court criminal dockets and civil dockets including Truancy, At-Risk-Youth and Children in Need of Services.

If you are interested in serving as a Judge Pro Tempore please submit a letter of interest and resume detailing your primary areas of practice, prior judicial experience and general availability. Please also describe any disciplinary action taken by the Washington State Bar Association or by any other similar body in any jurisdiction where you have practiced law.

The Court has established the following minimum requirements:

Member of the Washington State Bar Association  
Resident of either Benton or Franklin County  
A minimum of five years in the practice of law  
Experience with Juvenile Court criminal and civil cases

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

Letters of interest and resumes should be marked confidential and sent to the attention of Sharon Paradis, Juvenile Court Administrator, Benton/Franklin Counties Juvenile Court, 5606 W. Canal Place, Kennewick, WA 99336 no later than Friday, August 4, 2006. The Court will keep all applications strictly confidential and will not disclose the names of interested individuals without their prior permission.

Should you have any questions, please feel free to call Sharon Paradis at (509) 736-2724 or contact me through the Superior Court at 736-3071.

Sincerely,

Craig J. Matheson  
Administrative Presiding Judge

## Appendix E: Family Law Commissioner Announcement



Invites Applications for the Position of:

**COMMISSIONER PRO TEMPORE  
KING COUNTY SUPERIOR COURT**

**Applications can be requested by contacting**

**[kcsc.recruitments@kingcounty.gov](mailto:kcsc.recruitments@kingcounty.gov)**

King County Superior Court is committed to equity and diversity in the workplace

**Opens:** February 8, 2010 8:00 AM

**Closes:** April 30, 2010 04:30 PM

**Salary:** \$77.69 Hourly - commissioner pro tempore;

\$85.04 Hourly - judge pro tempore

**Job Type:** Temporary

**Department:** King County Superior Court

**Summary:** Successful applicants for these positions will be placed on a list maintained by the Court, and may be called to duty as needed. Pro Tempore Commissioners preside over a calendar when a sitting Commissioner is unavailable. A list of Pro Tempore Commissioners will be maintained by the Court for the following areas: Family Law; Juvenile Court; Ex Parte; Probate; Civil Commitment.

**Who May Apply:** This position is open to attorneys licensed to practice in Washington State. Current Pro Tempore Commissioners who wish to be reappointed should submit a letter of interest.

**Work Schedule:** This is an intermittent, temporary position, filling in when a sitting Commissioner is unavailable. The hours of work are typically between 8:30 a.m. to 4:30 p.m. Monday through Friday.

**Work Location:** This position may serve in any of the King County Superior Court facilities: King County Courthouse - 516 3rd Ave, Seattle WA 98104; Juvenile Court – 1211 E. Alder, Seattle, WA 98122; Maleng Regional Justice Center, 401 4<sup>th</sup> Ave. N., Kent, WA 98032

**Materials Required:** The required application form must be sent to [kcsc.recruitments@kingcounty.gov](mailto:kcsc.recruitments@kingcounty.gov), or to the Human Resources Department, King County Superior Court, 516 Third Avenue, KCC-SC-0203, or hand-delivered to the King County Superior Court Reception Desk, Room C-912 at the address above. Application materials must be received by 4:30 p.m. on or before the closing date.

**Applicants must indicate on the application form the Department list for which they wish to be considered.** Current Pro Tempore Commissioners who wish to be reappointed should submit a letter of interest only.

**Required Experience, Qualifications and Knowledge:**

Applicants must meet the requirements of RCW 2.24.010. Membership in good standing with the Washington State Bar Association, with no history of discipline by the Washington State Bar Association is required. Except as otherwise indicated, at least 50% of the applicant's current practice must be in the relevant area of law with at least five years of experience practicing in the subject area(s) being applied for. Must be able to use personal computer and Microsoft Office programs.

**Family Law:** At least five years of experience practicing in the area of family law under RCW Title 26.

**Juvenile Court:** Juvenile court uses both judge pro tempore and commissioner pro tempore in various capacities. Offender calendar: At least five years of experience practicing in criminal law, including two years of experience in cases brought under RCW Title 13. Dependency calendar and ARY and CHINS: At least five years of experience as an attorney, including two years of work in the field of child welfare and dependency.

**Ex Parte and Probate:** At least five years of experience in civil practice, including knowledge in the following areas of practice: probate, guardianship, unlawful detainer, temporary restraining orders (civil and domestic), adoptions, dissolutions, domestic violence and anti-harassment.

**Civil Commitment Calendar (Harborview Hospital):** At least two years of experience practicing in the area of civil commitment under RCW 71.05 or 71.34. However, applicants with other relevant experience, including experience with mental health courts, will be considered.

**Special Requirements and Mandatory Training:** A completed criminal records background check form, Washington State Bar Association release and citizenship confirmation form are required.

**Successful applicants will be required to complete mandatory training prior to assignment.**

**Selection Process:** Application materials will be screened for qualifications pursuant to GR 29(f)(12) and LR 0.11.

If you have questions regarding this position, please call King County Superior Court Human Resources at (206) 296-9355.



## **Appendix F: District Court Judges by Judicial Districts of Washington**

(RCW [3.34.010](#))

Adams: two (2) judges

Asotin: one (1) judge

Benton: five (5) judges

Chelan: two (2) judges

Clallam: two (2) judges

Clark: six (6) judges

Columbia: one (1) judge

Cowlitz: three (3) judges

Douglas: one (1) judge

Ferry: one (1) judge

Franklin: one (1) judge

Garfield: one (1) judge

Grant: two (2) judges

Grays Harbor: two (2) judges

Island: one (1) judge

Jefferson: one (1) judge

King: twenty-five (25) judges (26 judges are statutorily authorized)

Kitsap: four (4) judges

Kittitas: two (2) judges

Klickitat: two (2) judges

Lewis: two (2) judges

Lincoln: one (1) judge

Mason: one (1) judge

Okanogan: two (2) judges

Pacific: two (2) judges

Pend Oreille: one (1) judge

Pierce: eleven (11) judges

San Juan: one (1) judge

Skagit: two (2) judges

Skamania: one (1) judge

Snohomish: eight (8) judges

Spokane: eight (8) judges

Stevens: one (1) judge

Thurston: three (3) judges

Wahkiakum: one (1) judge

Walla Walla: two (2) judges

Whatcom: two (2) judges

Whitman: one (1) judge

Yakima: four (4) judges

## Appendix G: List of Adjudicatory Agencies

NAME	AGENCY	ADDRESS	PHONE	E-MAIL
Thomas Sadler Deputy Director	Board of Accountancy	Evergreen Plaza #400 711 Capital Way Post Office Box 9131 Olympia, WA 98507- 9131	360-586-0785	<a href="mailto:toms@cpaboard.wa.gov">toms@cpaboard.wa.gov</a>
Charles McCullough Senior Assistant Chief	Board of Industrial Insurance Appeals	2430 Chandler Ct SW Post Office Box 42401 Olympia, WA 98504	360-753-9640	<a href="mailto:mccullough@biia.wa.gov">mccullough@biia.wa.gov</a>
Janet Whitney Chief Industrial Appeals Judge	Board of Industrial Insurance Appeals	2430 Chandler Ct Post Office Box 42401 Olympia, WA 98504	360-753-9640	<a href="mailto:whitney@biia.wa.gov">whitney@biia.wa.gov</a>
Stephen V. Saynisch Executive Director	Board of Tax Appeals	910 5th Ave SE Post Office Box 40915 Olympia, WA 98504- 0915	360-753-5446	<a href="mailto:bta@bta.state.wa.us">bta@bta.state.wa.us</a>
Nina Carter Administrative Chair and Board Member	Puget Sound Growth Management Hearing Board	319 7 <sup>th</sup> Ave SE Ste 103 Olympia, WA 98504- 0953	360-586-0260	<a href="mailto:ninc@wwgmhb.wa.gov">ninc@wwgmhb.wa.gov</a>
Laura Farris Senior Health Law Judge	Department of Health	101 Israel Rd SE Post Office Box 47879 Olympia, WA 98504- 7890	360-236-4677	<a href="mailto:laura.farris@doh.wa.gov">laura.farris@doh.wa.gov</a>
Elizabeth Graham	Department of Licensing – Everett	5313 Evergreen Way Everett, WA 98203-3631	425-356-2967	<a href="mailto:egraham@dol.wa.gov">egraham@dol.wa.gov</a>
Lori Provoe Hearings Administrator	Department of Licensing Hearings and Interviews	Highway/Licenses Building PO Box 9020 Olympia, WA 98507	360-902-3600	<a href="mailto:lprovoe@dol.wa.gov">lprovoe@dol.wa.gov</a>

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

NAME	AGENCY	ADDRESS	PHONE	E-MAIL
Ellen Anderson Retirement Appeals Manager	Department of Retirement Systems	Point Plaza West Bldg. #3 6835 Capitol Blvd. Post Office Box 48380 Olympia, WA 98504- 8380	360-664-7294 (direct)	<a href="mailto:ellena@drs.wa.gov">ellena@drs.wa.gov</a>
Mary Barrett Assistant Director	Department of Revenue Appeals Division	Capitol Plaza Bldg. 1025 E. Union Post Office Box 47460 Olympia, WA 98504	360-534-1343	<a href="mailto:maryb@dor.wa.gov">maryb@dor.wa.gov</a>
Andrea McNamara Doyle Board Chair	Environmental Hearings Office	1111 Israel Rd SW Ste 301 Post Office Box 40903 Olympia, WA 98504- 0903	360-664-9160	<a href="mailto:eho@eho.wa.gov">eho@eho.wa.gov</a>
Kathy Marshall Administrative Assistant	Marine Employees Commission	711 Capitol Blvd Post Office Box 40902 Olympia, WA 98504	360-586-6354	<a href="mailto:mec@olywa.net">mec@olywa.net</a>
Lorraine Lee Chief Administrative Law Judge	Office of Administrative Hearings	2420 Bristol Ct. SW Post Office Box 42488 Olympia, WA 98504- 2488	360-664-8717	<a href="mailto:lorraine.lee@oah.wa.gov">lorraine.lee@oah.wa.gov</a>
Patricia Petersen Chief Hearings Officer	Office of Insurance Commissioner	5000 Capitol Blvd SE Post Office Box 40255 Olympia 98504-0255	360-725-7105	<a href="mailto:patriciap@oic.wa.gov">patriciap@oic.wa.gov</a>
Laura Anderson Chair Darryl-Jean Mark Vice Chair	Personnel Appeals Board	600 S Franklin Post Office Box 40911 Olympia, WA 98504- 0911	360-664-0388	<a href="mailto:landerson@pab.state.wa.us">landerson@pab.state.wa.us</a>
Cathleen Callahan Executive Director	Public Employees Relations Commission	112 Henry St NE, Suite 300 Post Office Box 40919 Olympia, WA 98504- 0919	360-570-7312	<a href="mailto:cathleen.callahan@perc.wa.gov">cathleen.callahan@perc.wa.gov</a>

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

NAME	AGENCY	ADDRESS	PHONE	E-MAIL
Dennis Moss Review Judge	Utilities & Transportation Commission	Post Office Box 47250 1300 S Evergreen Pkwy Dr SW Olympia, WA 98504- 7250	360-664-1164	<a href="mailto:dmoss@wutc.wa.gov">dmoss@wutc.wa.gov</a>
Robert Lopez Executive Secretary	Washington State Horse Racing Commission	6326 Martin Way E., Suite 209 Olympia, WA 98516	360-459-6462	<a href="mailto:rlopez@whrc.state.wa.us">rlopez@whrc.state.wa.us</a>

Updated 12/17/10

## **Appendix H: Agencies served by the Office of Administrative Hearings**

Board of Accountancy  
Department of Agriculture  
Board of Pilotage Commissioners  
Colleges  
Department of Commerce  
Department of Early Learning  
Department of Financial Institutions  
Department of Fish and Wildlife  
Department of General Administration  
Department of Labor and Industries  
Department of Licensing  
Department of Natural Resources  
Department of Transportation  
Department of Retirement Systems  
Department of Services for the Blind  
Department of Veterans Affairs  
Executive Ethics Board  
Employment Security Department  
Gambling Commission  
Health Care Authority  
Horse Racing Commission  
Human Rights Commission  
Liquor Control Board  
Lottery Commission  
Office of Insurance Commissioner  
Office of Minority and Women Business Enterprises  
Office of Superintendent of Public Instruction  
Pollution Liability Insurance Agency  
Secretary of State  
Washington School for the Deaf  
Washington State Patrol  
Workforce Training and Education Coordinating Board

## **Appendix I: Administrative Law Judge Announcement**

### **Becoming an Administrative Law Judge**

Administrative Law Judges (ALJs) are assigned by the Office of Administrative Hearings (OAH) to conduct administrative hearings, develop the record, and issue decisions for most state agencies and some local governments. The largest number of hearings are conducted for the [Employment Security Department](#) (ESD) and the [Department of Social and Health Services](#) (DSHS). The most common types of hearings include appeals of unemployment benefits, public assistance, child support, contractors' registration, DSHS licensing, special education, and liquor licensing. OAH has field offices in Olympia, Seattle, Spokane, Tacoma, Vancouver, and Yakima. Administrative Law Judges conduct hearings with the greatest degree of informality (no robes) consistent with fairness and the nature of the proceeding, and issue initial or final decisions, including findings of fact and conclusions of law. Hearings are held both by telephone and in person. Many parties appear pro se.

### **Qualifications**

A minimum of five years' experience as an attorney.

Active or Judicial member of the Washington State Bar Association or such a member of any state's bar association.

ALJs must have a demonstrated knowledge of administrative law and procedures.

### **Compensation/Benefits**

Benefits include the comprehensive state retirement and leave package and health, dental, disability, and life insurance coverage. Currently \$5,266 - \$6,741 monthly, depending upon qualifications.

### **How to Apply**

Positions are advertised on [www.careers.wa.gov](http://www.careers.wa.gov). Applicants will need to apply online during an open recruitment.

### **Need more information?**

If you have questions about ALJ or ALJ pro tem positions with OAH, feel free to contact the Assistant Deputy Chief ALJ in the OAH field office you are interested in working in, or contact Stephanie Croom Williams, Deputy Chief ALJ, or Pattie Latsch, Deputy Chief ALJ, at 360.664.8717. You can obtain more information about OAH by returning to our OAH Home Page ([www.oah.wa.gov](http://www.oah.wa.gov)).



## Appendix J: The Washington State Governor's Office Uniform Judicial Evaluation Questionnaire<sup>1</sup>

Position Sought (Court/Division/District): \_\_\_\_\_

By Appointment: ☐ By Election: ☐

### Personal Information

1.

Last Name	First Name	Middle Name	WSBA Bar Number
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2. Business Address:

Business Name

Street or P.O. Box

City State Zip

Business Phone No. \_\_\_\_\_ After-hours/direct dial: \_\_\_\_\_

Work e-mail address: \_\_\_\_\_

3. Home Address:

Street or P.O. Box

City State Zip

Home Phone No. \_\_\_\_\_ Mobile Phone No.: \_\_\_\_\_

Home e-mail address: \_\_\_\_\_

4. Date of Birth: \_\_\_\_\_ 5. Social Security Number: <sup>2</sup> \_\_\_\_\_

6. City/State/Place of Birth: \_\_\_\_\_

### Prior Evaluation / Application History

7. Please state the date of all other judicial evaluations you sought, bar polls you participated in, and appointment applications you submitted. Please specify whether you sought appointment or election for each, from whom the evaluation was sought, the position sought, and the outcome.


<sup>1</sup> The Governor's Office uses this questionnaire exclusively for candidates seeking judicial appointment. The Washington State Bar Association and other state bar associations noted on the last page also accept this questionnaire in their judicial evaluation process. The Governor's Office reserves the right to update this questionnaire and will post updated versions of the questionnaire on the Governor's webpage. Please direct all questions about the questionnaire to the Governor's Office of General Counsel.

<sup>2</sup> Only include your social security number on the copy of the questionnaire forwarded to the Governor's Office.

**Professional History**

8. Year admitted to practice law in Washington: \_\_\_\_\_

9. Employment History (in reverse chronological order):

a. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_

\_\_\_\_\_

b. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_

\_\_\_\_\_

c. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_

\_\_\_\_\_

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d. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

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Reason for leaving: \_\_\_\_\_

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e. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

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Reason for leaving: \_\_\_\_\_

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f. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

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Reason for leaving: \_\_\_\_\_

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Please continue, if necessary, on a separate piece of paper in the above format as needed.

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

10. Please list all other courts and jurisdictions in which you have been admitted to practice law and the dates of admission. Please provide the same information for administrative bodies having special admission requirements.

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11. Please list all bar associations and professional societies of which you are a member and give the titles and dates of any offices that you have held in such groups.

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12. Are you in good standing in every bar association of which you are a member? Yes / No. If you answered “no,” please explain.

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13. If you have ever been a judge, please identify any court committees on which you have served or administrative positions you have held. Please state the dates of service for each.

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14. Please list up to five of your most significant professional accomplishments. (If applicable, please provide the case and court name and the citation if a case was reported (and copy of the opinion).

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15. Please summarize up to eight of the most significant matters that you participated in as an advocate. Please include the dates of your participation and the reason each was significant to you. Please provide the citation if a case was reported. If you have been a judge, please include some cases that have been tried before you.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## Educational Background

16. Please list all undergraduate and graduate (non-law school) colleges and universities attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

College/University	Dates of Attendance	Degree
College/University	Dates of Attendance	Degree

17. Please list all law schools attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

Law School	Dates of Attendance	Degree
Law School	Dates of Attendance	Degree

## Professional Experience

18. Please summarize, briefly, the general nature of your current law practice.

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19. If you are in practice, please describe your typical clients and any areas of special emphasis within your practice.

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20. If your present law practice is different from any previous practice, please describe the earlier practice, including the nature of your typical clients and any area of special emphasis within your practice.

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21. Within the last 5 years, did you appear in trial court:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

22. Within the last 5 years, did you prepare appellate briefs and appear before appellate courts:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

23. Within the last five years, how often did you appear in the court for which you are applying:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

24. Career Experience

- (a) What percentage of your appearances in the last five years was in:

(1)	Federal appellate courts	_____ %
(2)	Federal trial courts	_____ %
(3)	State appellate courts	_____ %
(4)	State trial courts	_____ %
(5)	Municipal courts	_____ %
(6)	District courts	_____ %
(7)	Administrative tribunals	_____ %
(8)	Tribal courts	_____ %
(9)	Other	_____ %
	TOTAL	100%

- (b) What percentage of your practice in the last five years was:

(1) Civil litigation \_\_\_\_\_ %  
(excl. family law)

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(2)	Criminal litigation	_____ %
(3)	Family law litigation	_____ %
(4)	Non-litigation	_____ %
	TOTAL	100%

(c) What percentage of your trials in the last five years were:

(1)	Jury trials	_____ %
(2)	Non-jury trials	_____ %
	TOTAL	100%

(d) State the number of cases during your total career that you have tried to verdict or judgment (rather than settled) in the following courts, and indicate for each court the following percentages: trials in which you were sole counsel or chief counsel, jury trials, and trials where you were the arbiter/decision maker.

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% Jury</u>	<u>% as the Arbiter</u>
_____	Municipal	_____	_____	_____
_____	State Dist.	_____	_____	_____
_____	State Superior	_____	_____	_____
_____	Federal Dist.	_____	_____	_____
_____	Administrative	_____	_____	_____
_____	Tribal Courts	_____	_____	_____
_____	Other	_____	_____	_____

(e) State the number of appellate cases during your total career where you appeared as counsel of record in the following courts, and indicate for each court the following percentages: cases where you were sole counsel or chief counsel, and cases where you were the arbiter/decision maker (if applicable).

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% as the Arbiter</u>
_____	State Superior Court	_____	_____
_____	WA. Div. I COA	_____	_____
_____	WA. Div. II COA	_____	_____
_____	WA. Div. III COA	_____	_____
_____	WA. Supreme Court	_____	_____
_____	Fed. Cir. COA	_____	_____
_____	U.S. Supreme Court	_____	_____

## Diversifying the Bench Guidebook: How to Become a Judicial Officer

- (f) Briefly describe no more than five significant litigation matters that you directly handled as the sole counsel. For each, please provide the name and telephone number of opposing counsel, the name of the judge or other judicial officer, and the citation (if applicable).

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- (g) State in detail your experience in adversary proceedings before administrative boards or commissions during the last five years.

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25. Please briefly describe any legal non-litigation experience that you feel enhances your qualifications to serve as a judge.

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26. If you are now an officer or director of any business organization or otherwise engaged in the management of any business enterprises, please provide the following: the name of the enterprise, the nature of the business, the title of your position, the nature of your duties, and the term of your service. If you are appointed and do not intend to resign such position(s), please state this below along with your reasons for not resigning.

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27. Please list all chairmanships of major committees in bar associations and professional societies and memberships on any committees that you have held and believe to be of particular significance.

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### Judicial Interest and Experience

28. In 50 words or less, please describe why you should be appointed / elected and are seeking a judicial position.

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29. In 50 words or less, please describe your judicial philosophy.

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30. Have you ever held a judicial office or have you ever been a candidate for such office? Yes / No. If you answered “yes,” please provide details, including the courts involved, whether elected or appointed, and the periods of your service.

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31. Have you ever held public office other than a judicial office, or have you ever been a candidate for such an office? Yes / No. If you answered “yes,” please provide details, including the offices involved, whether elected or appointed, and the length of your service.

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32. Please briefly identify all of your experience as a neutral decision-maker (e.g. judge (permanent or pro tem) in any jurisdiction, administrative law judge, arbitrator, hearing officer, etc.). Give courts, approximate dates, and attorneys who appeared before you.

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### Community and Civic Activities

33. Please list your community and civic activities, including dates and leadership roles held, over the last 10 years.

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### Discipline and Disputes

34. Have you ever been held, arrested, charged or convicted by federal, state, or other law enforcement authorities for violation of any federal law, state law, county or municipal law, regulation or ordinance? Yes / No. If you answered “yes,” please provide details. (Do not include traffic violations for which a fine of \$150.00 or less was imposed.) Please feel free to provide your view of how it bears on your present fitness for judicial office.

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35. Has a client ever made a claim or suit against you for malpractice? Yes / No. If you answered “yes,” please provide details and the current status of the claim and/or suit.

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## Diversifying the Bench Guidebook: How to Become a Judicial Officer

36. Please describe your direct experience, if any, with domestic violence and sexual harassment.

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37. Have you been a party in interest, witness, or consultant in any legal proceeding? Yes / No. If you answered “yes,” please provide details. Do not list proceedings in which you were merely a guardian ad litem or stakeholder.

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38. Have you ever been the subject of a complaint to any bar association, disciplinary committee, court, administrative agency or other professional group? Yes / No. If you answered “yes,” please provide details.

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39. Have you ever been disciplined or cited for breach of ethics or unprofessional conduct? Yes / No. If you answered “yes,” please provide details.

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40. If you have served as a judge, commissioner, or in any judicial capacity, has a complaint for misconduct in that capacity ever been made against you? Yes / No. If you answered “yes,” please provide details.

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**Miscellaneous**

41. Are you aware of anything that may affect your ability to perform the duties of a judge? Yes / No. If you answered “yes,” please provide details.
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42. Have you published any books or articles in the field of law? If so, please list them, giving the citations and dates. Also, please give the dates and forums of any Continuing Legal Education presentations that you have made.
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43. Please list any honors, prizes, awards or other forms of recognition that you have received and whether they were professional or civic in nature.
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44. Are you aware of anything in your background or any event you anticipate in the future that might be considered to conflict with the Code of Judicial Conduct? Yes / No. If you answered “yes,” please explain.
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45. Please provide a writing sample of your work (between 5 and 10 pages long), written and edited solely by you, within the last 4 years.

**Access to Justice**

46. Please describe activities that you have engaged in to eliminate bias or improve access to the judicial system for indigent populations and ethnic, racial and sexual minorities. As a member of the bench, what, if any, role do you believe a judge has to enhance equal access to justice?

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47. Please describe the frequency, time commitment and substantive nature of your direct participation of free legal services to indigent populations, and ethnic, racial and sexual minorities.

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### Diversity in the Legal Profession

48. Please briefly describe your understanding of the issue of “diversity within the legal profession.”

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### References

It is useful for evaluators to speak with attorneys and non-attorneys who are familiar with you. One or more participants in the evaluation process may contact each of your references. All telephone numbers should be current and legible. If a reference is unreachable, your rating/evaluation may be delayed. **Please use a separate piece of paper for each list.** You may contact references in advance if you so desire. Individuals not listed by you as a reference may be contacted to obtain information about you.

49. If you have been in practice within the past fifteen years, list the names and phone numbers of ten opposing counsels who know you best, including at least three opposing counsels on cases that went to trial.
50. If you have been a judge or otherwise have served as a neutral decision-maker within the past fifteen years, please list the names and phone numbers of the last ten attorneys who have appeared before you.
51. List the names and phone numbers of up to six non-attorney references whose opinions or observations – particularly with respect to your commitment to improving access to the judicial system for indigent populations, people of color, and disenfranchised communities – would assist in the consideration of your application.
52. For the last five trials in which you participated (whether as trial lawyer or decision-maker), list as appropriate the following for each: case name, subject matter, court, judge (w/ phone number), and opposing counsel or counsel appearing before you (w/ phone number).
53. List the names and phone numbers of ten additional attorneys familiar with your professional qualifications, skills, experience or attributes.

**NOTE:** The Governor’s Office requires individuals seeking judicial appointment to utilize, to the fullest extent possible, the ratings processes from state, county, and minority bar organizations. Contact information for the minority bar associations can be found on the Washington State Bar Association’s website at (<http://www.wsba.org/public/links/minoritybars.htm>). It is the applicant’s responsibility, however, to obtain these evaluations in a timely manner, and to forward evaluations received to the Governor’s Office. To that end, all applicants are strongly encouraged to commence the evaluation process with the various bar associations as soon as possible. To facilitate the process, the following organizations have agreed to accept this questionnaire as the principal application in their evaluation process and may also require candidates to complete an additional supplement questionnaire:

**State Bar Association**

☐ Washington State Bar Association (WSBA) (appellate court evaluations only)

**County Bar Associations**

- ☐ King County Bar Association (KCBA)  
☐ Spokane County Bar Association (SCBA)  
☐ Tacoma-Pierce County Bar Association (TPCBA)

**Minority Bar Associations**

- ☐ Latina/o Bar Association of Washington (LBAW)  
☐ Loren Miller Bar Association (LMBA)  
☐ The Joint Asian Judicial Evaluations Committee of Washington<sup>3</sup>  
☐ Pierce County Minority Bar Association (PCMBA)  
☐ Q-Law / GLBT (Gay Lesbian Bisexual Transgender) Bar Association  
☐ Washington Women Lawyers<sup>4</sup> (WWL)

As of the date of your certification below and submission of this questionnaire to the Governor’s Office, please check beside each of the above organizations you have contacted to evaluate you for the position for which you seek.

**Certification**

54.

By signing below, I declare under penalty of perjury under the laws of the State of Washington that the information provided by me in responding to this questionnaire is true and correct to the best of my knowledge.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

<sup>3</sup> A joint committee of the Asian, Korean, South Asian and Vietnamese American Bar Associations of Washington.

<sup>4</sup> Washington Women Lawyers has approved the use of the Governor’s Uniform Judicial Evaluation Questionnaire for its statewide and all county chapters.

## **Appendix K: Authorization to Release Information to the Office of the Governor**

**Please send the following, or similar, discipline history request letter to the WSBA. The WSBA charges \$30 for each written discipline history check, plus \$1.00 per copy.**

Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98121-2330

Dear Sir or Madam:

You are hereby authorized to release and forward immediately all information with reference to my disciplinary record to:

Narda Pierce, General Counsel  
Office of the Governor  
Legislative Building  
P.O. Box 40002  
Olympia, Washington 98504-0002

Please also send a copy to me. I understand there is a fee of \$30.00 for the discipline check, plus \$1.00 for each copy. I have enclosed a check in the amount of \$31.00 to cover the costs. Thank you for your prompt attention to this matter.

Name and WSBA No: \_\_\_\_\_

(Print Name)

Address: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

(Sign)

## Waiver and Authorization to Release Information

To Whom It May Concern:

I authorize you to furnish Narda Pierce, General Counsel, Office of the Governor of Washington State, with any and all information that you have concerning me, my work record, my reputation, my medical records, my psychological records, my military service records, my criminal history and my financial status. Information of a confidential or privileged nature may be included.

I waive any and all privacy rights I may have and I hereby release you, your organization, and others from any liability or damage which may result from furnishing the information requested.

A photocopy of this authorization shall be as valid as the original.

To be completed by the applicant.

Name: \_\_\_\_\_

(Please Print)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Other Names: \_\_\_\_\_

(Other names you have been known by, including prior marriage or nickname. Please Print)

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_



