

ELLENSBURG DAILY RECORD

Tuesday, January 4, 2011

Judge Haven answers questions about his time on the bench

For THE DAILY RECORD | 0 comments

More from the e-mail interview with Lower Kittitas County District Court Judge Thomas Haven who retires Jan. 7 from 20 years on the bench, a total of 32 years with Kittitas County government:

Q: Would you give a summary of your work history in Kittitas County?

A: I was hired by Joseph Panattoni in the spring of 1979 to work in the Prosecutor's Office. At that time Joe had been the Prosecuting Attorney for many years. In those days, the Prosecutor's office had three full-time attorneys and two legal secretaries and our office was located in the Land Title Building. Joe Panattoni was a great boss. While he was always available to answer questions or give advice, he gave me the freedom to do my job as I saw fit. I don't remember Joe ever over-ruling any of my filing decisions or telling me that I needed to handle some "high profile" case in some way other than what I thought was right. As a deputy prosecutor for 12 years, I handled everything from child support enforcement to felony prosecutions.

Q: What would be a summary of education and work before coming here?

A: Before taking the job as prosecutor I attended undergraduate school at the University of Oregon, graduating in 1975 with a degree in journalism. In 1978 I graduated from the University of Puget Sound Law School with a law degree and, a few months later (after passing the bar examination) became licensed to practice law in Washington State.

Q: What led you to first seek the Lower District Court judgeship?

A: During my years in the Prosecutor's Office a series of lawyers served as part-time judges in the Lower District Court. While I considered running for district court judge in the early 1980s following Judge John Thomas's retirement, I am the kind of person who is unwilling to "bite off more than I can chew." Although I was encouraged to run for office, I was convinced that I lacked the years of experience required to be an effective judge. However, by the end of the 1980s I felt that I had gained the experience and knowledge necessary to be a good judge and, with the help and encouragement of my wife Sara and a number of very supportive friends, I took the plunge and ran for office. I decided to run because I thought I could do the job better than anyone else expressing an interest in running for district court judge.

Q: What is the hardest aspect of working as a district court judge?

A: Being a judge in a small town can be an isolating experience. As a district court judge who handles everything from speeding tickets to Driving Under the Influence and Domestic Violence Assault, I routinely have contact in my every-day life with people who have appeared in my courtroom. Since I may see hundreds of people in the course of one busy week in court, I will usually not connect a face I see in a restaurant or grocery store with a defendant in a court proceeding. However, they almost always remember me. If there is one thing I am looking forward to in retirement, it is developing a new relationship with the people in Ellensburg and Kittitas County.

Q: Has the judgeship limited you somewhat in participation in community activities, groups or causes?

A: Yes, there are strict ethical rules which limit what a judge can do. This affects volunteerism, fundraisers, political affiliations - the limitations are numerous and extensive. While judges are certainly a vital part of the community, I'm looking forward to being just an ordinary citizen free to participate in many meaningful, less stressful community activities.

Q: What are some cases that are memorable or unusual?

A: The most memorable cases for me have been those in which some unusual or unique question of law or fact led to review by the Washington Court of Appeals or The Supreme Court. When an attorney argues a case before an appellate court, that lawyer tells the reviewing court what he thinks the law is or ought to be. As a deputy prosecutor I had the privilege on several occasions to play a role in making or clarifying the law in Washington State. As a trial court judge, an appeal means other judges looking for mistakes made by the judge during a trial or some other court proceeding. It has always been important to me that my decisions as a Judge be thoroughly researched and as concise as I can make them. Judges, like everyone else, would much rather be told their decisions are correct and have them upheld by higher courts than the alternative!

As to funny things said in court, I think that District Court Judges can allow a little more levity in the courtroom than can judges in other levels of court. We see everything in district court, and at times it is impossible not to laugh out loud. Oddly enough, one of the funniest things I can remember happening occurred (in late December 2010). A young man being questioned as a possible juror in an assault case told the prosecutor that he was a professional wrestler. After taking this in, the prosecutor asked if he was used to being assaulted in his line of work. After thinking about the question for a moment, the prospective juror told the prosecutor: "Professional wrestling is fake." This revelation caused the entire courtroom to erupt in laughter.

Q: What effect has being a judge had on your family?

A: Being a husband, wife, or child of a judge can be as isolating for the family member as it is for the judge, especially when the judge serves in a small town.

Q: What has the law and justice system in Kittitas County done well in your 20 years on the bench? What are some of the challenges?

A: I am proud of the justice system in Kittitas County. While I have not worked extensively in other justice systems, judges across the state have convinced me that the high level of cooperation between the courts in Kittitas County is rarely found in other justice systems in Washington State. As to the two district courts in Kittitas County, Judge Ellis of the Upper County District Court and I have made cooperation a top priority. In all the years we've worked together, I can't remember a single request for help when Judge Ellis and his staff have not responded immediately with the assistance we needed. Additionally, Nancy Jewett (the Court Administrator for my first 16 years in office) tirelessly traveled around the State in a program known as "Courts helping Courts" to assist other court administrators and clerks with updated technology and management solutions. She was able to provide this help to other courts because under her leadership our court was recognized statewide as being progressive, proactive and up-to-date with its administrative practices and ability to find effective solutions for the everyday problems facing all courts.

Q: What improvements have you ushered into the local law and justice system, or have been a part of, that you believe has been important?

A: When I was first elected judge 20 years ago, our county had no misdemeanor probation office. While one existed in past years, it had been eliminated as a cost-saving measure. With the support of County Commissioner John Perrie, I was able to create a new probation office which provides a vital source of support for defendants and the court. For the past twenty years we have had a first class, financially self-supporting misdemeanor probation office. Its importance cannot be overstated. On the criminal side of the court's work, a judge's order can be worthless without an effective probation department to ensure a defendant does what he or she is told to do. I believe Probation Services Administrator William Holmes and the entire misdemeanor staff represent the best a probation office can be. Creating and maintaining our misdemeanor probation office is one of my most important accomplishments as judge.

A: On the civil side of the court's work, bringing low cost mediation to Kittitas County in the form of the Kittitas County and Yakima Dispute Resolution Center is an accomplishment I am very proud of. Additionally, I am also proud of the Japanese American Internment display which hangs in the court's hallway. If you are interested, I wrote an article about the display in "Equal Justice", the newsletter for the State Minority and Justice Commission. This article can be found at:

http://www.courts.wa.gov/programs_orgs/pos_mjc/?fa=pos_mjc.display&fileID=new9901

Q: What's your outlook into the court's future, or things that should be addressed?

A: When someone runs for the office of District Court Judge, he or she is invariably asked, "What changes should be made to the current court system?" The truth is that our court system has been, over the last 20 years, in a nearly constant state of change. This is because state statutes, state and local regulations, court rules and case law are always changing. While I am proud to leave an efficient court and fine administrative staff to my successor, there are new court rules scheduled to take effect in the week before Judge Hurson takes office which he will have to implement, and in short order there will be new appellate decisions changing how the court handles cases, to say nothing of the changes in state law certain to be made during the next legislative session. Judge Hurson will be reacting to change for as long as he is a judge. It is difficult for someone "on the outside looking in" to understand just how flexible, adaptive and informed the judge and court administrator in a well run court must be. As I said during my first campaign, "There's more to being a judge than just sitting on the bench".

Q: What will you miss about being a judge after retirement?

A: The most difficult and rewarding aspect of any job is likely to be the human interactions and relationships which are a critical part of any workplace. While there are certainly people I will be glad to leave behind, there are others I will miss. Those I will miss include my staff in the Lower District Court who are, along with Court Administrator Christine Luvera, a delightful group of hard working public servants who all of us in Kittitas County should be appreciative of. In spite of the demands of the job, Ms. Luvera and her staff begin each day with dedication, humor, and perseverance. I will also miss my frequent contact with some of the attorneys who practice with distinction in my court. It has been a pleasure to preside over court hearings when fine attorneys like Francis Chmelewski (our City Prosecutor) and Eileen Murphy (the Court's primary public defender) skillfully represent their clients, forcefully argue their case, and at the same time treat one other with respect and affection.

Q: What's in your plans after retirement?

A: Sara and I are going to stay at home, unwind, try out new recipes, work in our garden, and clean our garage!