



## Workload backlog a key issue in Superior Court race



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In Cowlitz County's first contested race for Superior Court judge in a decade, Longview attorney Joe Daggy is challenging Judge Marilyn Haan, who was appointed to the court last year.

The race pits Haan, who has positioned herself, even after a short time on the bench, as the well-established incumbent, against the insurgent Daggy, a Cowlitz County native who has practiced law here for decades.

Haan, 51, has gained the endorsement of eight state Supreme Court judges, five current and former state appeals court judges, Superior Court Judges Stephen Warning and Michael Evans and several district court judges, among others. She also was favored by a large margin in a recent poll of local attorneys in the Cowlitz-Wahkiakum Bar Association.

Daggy, meanwhile, has the endorsement of a single retired Superior Court judge, Don McCulloch, as well as dozens of local officials, attorneys and business leaders. He said Haan's large number of endorsements from the judiciary amount to the "system protecting itself."

Daggy, 62, said what he can bring to the bench is a return to what he sees as a golden era on the Superior Court decades ago. "What we had were judges who were serious about applying the law to the facts," he said. "We learned a lot. We worked with them. They were tough. They were able to understand the law."

Haan, however, said she believes she is a thoughtful and fair judge. "I want everyone that leaves my courtroom to know exactly why I made a decision," she said. "I am sworn to stay true to the law."

Perhaps the biggest issue in the election will be how to make the Superior Court more efficient and reduce its backlog of hundreds of cases.

The race will be decided by the results of the Aug. 7 primary.

The court currently has 236 felony cases waiting to proceed, according to the Cowlitz County Prosecutor's Office. That's down from about 400 a year ago.

Still, both candidates agree the number is too high and say more needs to be done to speed up the process. The backlogs delay justice for victims and defendants. They also make it difficult to schedule civil suits, which by law come second to criminal cases, the candidates said.

To solve the problem, Daggy suggests assigning judges to hear a case from beginning to end and implementing a better scheduling system, similar to those in other courts, that sets firmer dates for trials and doesn't let cases get pushed back by more than a few days.

Haan also said it's a good idea to keep one judge on a case. She also said she and the other Superior Court judges are working on ways to make sure that real progress is made on cases when they're put on the docket. It costs about \$250 in staff time and other expenses every time a single case is added to the docket for hearing, Haan said.

The state has approved a fifth Superior Court judge position for Cowlitz County, but the county, which must shoulder more than half the cost, declined to pay for it because of budget shortfalls, Haan said.

Daggy said it would certainly be good to have a fifth judge, but he said, "We need to fix the system a little bit before we start adding people."

Haan said she and the other judges also are exploring new technologies that allow defendants and others to appear in court via phone or video conference, which will make dockets move faster and reduce case delays. They're also making changes to the court's operating procedures, including how various domestic, civil and criminal dockets are structured and which judges oversee them, she said.

The reforms are being taken on by a group of new judges. In the past two years, Gov. Gregoire appointed three of the court's four judges, including Haan, to replace retiring members of the bench. Haan described the new team as "a very cohesive group."

But Daggy questioned whether the group of relatively new judges has the experience to create meaningful reform and said he is better-positioned to put in place a scheduling system that will make the court more efficient.

"They don't really have the experience to make this happen," he said.

Daggy said his experience includes decades as a civil lawyer as well as, early in his career, brief stints as a public defender and district court judge pro tem. Asked when he'd served as a temporary judge, Daggy said, "perhaps 20 years ago. I'm not sure when that was."

County officials said there were no records going back far enough to verify the dates of Daggy's service on the District Court.

## **The Candidates**

### **Marilyn Haan**

Experience: Appointed to the Superior Court bench last year; Longview city attorney; litigation supervising attorney for the city of Bellevue; Burlington city attorney; public defender and guardian ad litem in Burlington; Deputy prosecuting attorney, assistant city attorney for Benton County and the city of Lynnwood, judge and commissioner pro tem, Skagit County courts.

Education: Law degree, University of Puget Sound School of Law, 1988; Bachelor of Arts in law and justice, Central Washington University, 1984, Associate of Arts with an emphasis in science, Columbia Basin College, 1981.

Community Service: Rotary International, Kiwanis International, former board member of the YMCA and Cowlitz County Guidance Association, former Domestic violence team member, former Vulnerable Adult Task Force co-chair, Cowlitz Legal Aid board member, past president of the Cowlitz-Wahkiakum Bar Association.

Personal: Married to husband, Tom, a hospice chaplain. Five grown children and five grandchildren.

### **Joseph Daggy**

Experience: More than 30 years as a Cowlitz County attorney handling criminal, family law, estate planning, personal injury, bankruptcy, divorce and real estate issues. He has argued cases before the state court of appeals and served decades ago as a District Court judge pro tem and a public defender.

Education: Law degree, Willamette University, 1974. Bachelor of arts in communications, University of Washington.

Community service: Past president of the Cowlitz-Wahkiakum Bar Association and Kelso Rotary, past District Commissioner for the Boy Scouts of America. Former board member of the Lower Columbia Contractors Association and the Humane Society. Daggy also is a comedy writer who has been published in Northwest newspapers and journals and received an award from the Robert Benchley Society, which commemorates the late New Yorker magazine writer and humorist.

Personal: Married to wife, Sharon, with one grown son.