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## First female judge in Spokane County Superior Court retiring this week



Superior Court Judge Kathleen O'Connor, who is retiring at the end of the week poses for a portrait on Tuesday, Jan. 26, 2016, at The Spokane County Courthouse in Spokane, Wash. (Tyler Tjomsland)

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## Julie McKay appointed to bench

Governor Jay Inslee has appointed Julie M. McKay to replace Kathleen O'Connor as a Spokane County Superior Court judge. McKay has served as a Spokane County Superior Court commissioner since 2014.

Prior to 2014, McKay had a general civil and family law practice in Spokane and also served as a municipal prosecutor and criminal defense lawyer. She earned a bachelor's degree from Eastern Washington University and graduated from the Gonzaga University School of Law.

"Julie has extensive experience working in and around Spokane County," Inslee said in a statement. "She knows this community well and will be an outstanding addition to the bench."

When she's asked why she decided to run for a Superior Court judge position, Judge Kathleen O'Connor keeps things simple.

"It never occurred to me that I couldn't do it," she said.

In 1988, O'Connor made history as the first woman elected as a Superior Court judge in Spokane County, beating out the U.S. Attorney for Eastern Washington for the job. After 37 years on the bench, including nine as a court commissioner, O'Connor will hang up her robe Friday.

Her colleagues and friends in Superior Court say she's served as a "gold standard" for years, serving on state panels for family law issues, mentoring junior judges and providing institutional memory for the court.

"We're all going to try to live up to the standard that she set," said Judge Ellen Clark.

Growing up, O'Connor loved watching Perry Mason and had her sights on the courtroom.

"I've never known a time I didn't want to be a lawyer," she said.

She got an early start as a member of the Marycliff High School debate team, where she won first place in a statewide impromptu speaking competition against 800 other students in 1966. The all-girls team was coached by Sister Margaret Mary Conway, who O'Connor remembers for her

relentless encouragement of young women.

"The idea of not doing something because you were a woman was just not on the table," she said. Three of the four girls on the team became lawyers.

After graduating from Gonzaga Law School in 1975, O'Connor made headlines by opening the first women-owned law firm in Spokane with her classmate, D. Jean Shaw. The Spokesman-Review headline from 1976 proclaims, "Two women practice law at own firm."

There, O'Connor worked mostly on family law cases. Three years later, when she was 31, she was appointed to an open court commissioner position.

Back then, she said courts were more informal and had fewer cases. There were just three commissioners and seven judges in 1979, and specialized courts to deal with issues like protection orders, child support, mental health and drugs were far less common.

In 1993, she chaired the Spokane County Domestic Violence Consortium, which brought law enforcement, courts and social service providers together to address the problem. One year later, she was the second recipient of Gonzaga Law School's Myra Bradwell award for outstanding graduates, named after an Illinois woman who passed the bar but was not allowed to practice law because she was a woman.

O'Connor has spent much of her career as a trial judge adjudicating complex cases, including the civil commitment trial for South Hill rapist Kevin Coe and the class action lawsuits filed after the 1991 firestorm, which destroyed more than 100 homes in Eastern Washington.

She considered seeking a seat on the Washington Supreme Court, but decided she was happier staying on the Superior Court bench.

"There's always something going on at trial. There are always lots of interesting things and every once in awhile we get something really funny or odd," she said.

She especially enjoys working with juries.

"It never fails to amaze me how 12 people who don't know each other, don't know anything about the case ... some of whom really don't want to be here, others who are really excited to be here, all manage to coalesce and make a decision," she said.

Her reputation as a demanding judge came early. Attorneys who presented cases in front of her were expected to show up on time and know their material well.

Superior Court Judge John Cooney said that once during a trial, she told the attorneys on the case she was sick of the lack of preparation and wasn't going to accept any new motions. When one of them showed up with a lengthy brief, she pulled out the trash can from under the bench and dropped the stack of paper in it.

O'Connor said her standards are a recognition of the important role trial judges play in the legal system.

"The trial judge has to make the record, and counsel live and die on that record at the appellate level," she said. As a young judge, she relied on having good information from attorneys to make good decisions, she said.

"Most attorneys seek out her courtroom, because though she can be a rigid taskmaster, she is also consistent, decisive, efficient and prepared. Exacting, maybe, but always fair," retired Judge Tari Eitzen wrote in a column for the Spokane County Bar Association's newsletter.

Outside the courtroom, many of O'Connor's colleagues refer to her as a friend and mentor. Eitzen also wrote, "She is funny (but doesn't know it) and loveable. She regards road signs as advisory only, and is the first to admit that twice I have stared death in the face as a passenger in her car. She fills in cross-word puzzles with random letters if she hasn't completed the puzzle by the time the plane lands."

Superior Court Judge Annette Plese said her parents were friends with O'Connor. She sought O'Connor's advice when she was trying to decide whether to go to law school and said O'Connor talked her into it.

"She convinced me that this was the best career ever," Plese said. "She just told me that you can change people's lives."

Ashley Callan, who worked as O'Connor's judicial assistant for seven years, said her former boss encouraged her to pursue a master's in public administration and was very supportive of her ambitions. Now, Callan is starting a new job as court administrator after working in the juvenile court system.

"She expects excellence and you rise to the occasion. I in no way would be where I am at in my professional life if it wasn't for the time that I spent with her," Callan said.

O'Connor founded a group for women judges in Spokane County and remained the only woman in Superior Court until 1993, when Clark was elected.

"We would go to lunch at Clinkerdagger's, and we would sit around one table," Clark said of the early years.

Now, the group has over 30 members and is large enough that meeting for lunch is no longer practical.

During her first years on the bench, O'Connor said male attorneys would sometimes file an affidavit of prejudice to get another judge assigned on divorce cases, believing a woman would skew the outcome.

That practice stopped once there were enough women on the bench that getting a male judge wasn't guaranteed.

"We're just in a new era," O'Connor said.

Among Superior Court judges, O'Connor is often the one who sits on state task forces or goes to the county commission to advocate for more funding. She organizes a group that reads and discusses the latest case law so judges can stay current.

At weekly Superior Court judges' meetings, she has a designated seat at the head of the table.

"There's a running joke at the judges' meeting that no one sits in my chair," she said.

Last year, she missed a few months of work to have surgery. Clark said several judges decided to sit in O'Connor's chair while she was gone and send her pictures as a joke, but a few chickened out.

"The men just refused to sit in the chair and take the picture because they were afraid they were going to get in trouble," Clark said, laughing.

Now 67, O'Connor is retiring as the senior-most sitting judge in the state. She's never married nor had children and hopes to use her time to be "somewhat spontaneous." That means reading more books, seeing more movies and golfing. She'd like to visit her nephew in Anchorage, Alaska, travel with friends and learn more about art history and appreciation, she said.

O'Connor said she doesn't plan to stay away from the law forever. But for now, she's excited to not have a plan.

"I've concluded that's what I do: I plan. But at some point you have to just let that go and just be available," she said. "It's a nice change of pace."