

WEDNESDAY, NOV. 9, 2016, 12:08 P.M.

Civil attorney Jeffrey Smith appointed to District Court judge position

By [Nina Culver ninac@spokesman.com](mailto:ninac@spokesman.com) (509) 459-5473
The Spokesman-Review



Jeffrey Smith (Courtesy photo)

Jeffrey Smith

Age: 55

Education: Graduated from Gonzaga University School of Law in 2004. He previously graduated from Spokane Community College in 1982, Whitworth University in 1988 and the Yale University School of Medicine in 1990. He worked as a physician assistant for 16 years before becoming an attorney.

Personal: Born and raised in Spokane. His wife of 30 years, Carolyn, is a nurse at Providence Sacred Heart Medical Center. The couple has two grown children.

Spokane County commissioners filled an open judge position this week that they considered relinquishing.

Civil attorney and former physician assistant Jeffrey Smith has been appointed to fill a Spokane County District Court judge position vacated by the retirement of Judge Sara Derr in June.

County Commissioner Nancy McLaughlin said she was looking for someone to bring a fresh perspective to the court and also wanted someone with integrity, a strong work ethic, natural leadership and a good judicial demeanor.

“All his recommendations are outstanding,” she said of Smith. “This decision was so difficult because we had so many qualified candidates.”

The other five finalists for the position were Eric Roth, who has a civil practice and has served as a District Court protem since 2012; Jennifer Fassbender, an Airway Heights Municipal Court judge and criminal defense attorney with Cooney Law Offices; Spokane County Public Defender Tom Krzyminski; former District Court Judge Randy Brandt; and Jim Kaufman, senior Spokane County deputy prosecutor in the civil division.

Commissioner Al French said he did not vote for Smith’s appointment because he preferred another candidate, “but that’s not to be interpreted as a negative. I think he will do the court well.”

Commissioner Shelly O’Quinn said she was pleased with the quality of the 11 people who applied for the position. She joined McLaughlin in voting to give the job to Smith.

“He brings a great personality and skill set and ability to the table,” she said.

Earlier this year it appeared that commissioners did not want to fill the vacancy left by Derr’s retirement. All three [signed a letter](#) to the Administrative Office of the Courts asking for a review of the District Court and a recommendation for fewer judges. The court is currently allocated eight judge positions and only the Legislature has the power to reduce that number. That review still is underway but commissioners decided to [go forward](#) with an appointment.

Smith has worked for the firm Lee and Hayes since 2009 doing civil work that included trademark law, administrative law, adoptions and corporate mergers and acquisitions. Before that, he owned his own law firm for three years, handling medical negligence, wrongful death and personal injury cases.

Smith said he decided to go to law school because he believed insurance companies and the government were putting too many restrictions on what he could and couldn’t do as a physician assistant. “I’d always had an interest in law,” he said.

He said he felt like he was a strong candidate for the District Court position even though he didn’t have the experience that some of the other candidates had.

“I recognize the fact that there were some judges who had applied for the position as well,” he said. “I think there’s some benefit to coming in with fresh eyes.”

He previously applied for retiring Superior Court Judge Kathleen O’Connor’s position last year and retiring Judge Teri Eitzen’s position in 2014. Smith said his colleagues have been urging him to become a judge.

"I believe I've got a very strong and good judicial temperament," he said. "I'm fair-minded, I'm very objective. One thing medicine taught me is extreme attention to details. Those skills will come in very handy on the bench."

Smith said he was attracted to District Court because of its therapeutic courts, especially the mental health court.

"I felt it was an area where I could really leverage my medical experience in a way that can benefit my community."

He will begin his new position on Jan. 1 and said he intends to run for election in 2018 when his appointment expires.

"I'm very excited about the opportunity," he said. "I'm confident I can make a really positive contribution to the bench."