Judge Swanger’s swan song

Jurist to retire after 18 years on the bench; he’ll receive award Saturday

District Court Judge James Swanger presides over the morning arraignment docket Friday in his courtroom at the Clark County Courthouse. Swanger is retiring Tuesday after 18 years on the bench. (Photos by Ariane Kunze/The Columbian)
Clark County District Court Judge James Swanger works in his office Wednesday at the Clark County Courthouse. Swanger is retiring Tuesday after about 18 years on the bench as a commissioner and then judge. (Ariane Kunze/The Columbian) (Ariane Kunze/The Columbian)

Several awards are displayed on Clark County District Court Judge James Swanger’s shelf in his office at the Clark County Courthouse.
Clark County District Court Judge James Swanger works in his office Wednesday at the Clark County Courthouse. Swanger is retiring Tuesday after about 18 years on the bench as a commissioner and then judge.

By Jessica Prokop, Columbian Courts Reporter

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Four decades later, Clark County District Court Judge James Swanger still remembers the moment he decided to pursue a career in law.

He’s a little fuzzy on the details, such as his age and grade in high school, but what he does remember is flipping through a catalog from the University of Washington School of Law that his older brother brought home.

As he read through the course descriptions, he fixated on constitutional law. “It was really interesting to me,” he said.

Law always fascinated Swanger, he said, so he decided to give it a shot. Ironically, his brother chose to pursue business instead.

Swanger’s other career option was a doctor. “But the math and science just wasn’t there,” he said.

Not that it matters, because after serving 18 years on the bench — the first six as a District Court commissioner — he doesn’t regret his decision.

And now, Swanger, 62, will retire Tuesday.

The Clark County Bar Association is sending him off Saturday with a Lifetime Achievement Award, which will be presented during its annual Barrister’s Ball.

“He was nominated for the work he’s done for the community outside the courtroom as much as inside the courtroom,” said Christie Emrich, a criminal defense attorney and trustee of the Clark County Bar Association.

Emrich said Swanger is known for treating everyone who comes before him with respect and for his pleasant demeanor.

“On the bench, he’s respected by litigants who stand in front of him, the attorneys who’ve had the pleasure of working with him,” she said.

Swanger, a third-generation Clark County resident, graduated from Hudson’s Bay High School and attended Clark College. To prepare for law school, he obtained a bachelor of arts degree in English in 1976 from Brigham Young University. He said he felt the study of law would require plenty of reading and writing.
Afterward, he applied to four private law schools in Oregon and Washington — and was accepted to all of them — but chose Willamette University College of Law. It was close to home but not too close, Swanger said. He earned his degree in 1979 and moved back to Clark County.

Swanger was an intern for the Clark County Prosecuting Attorney’s Office and then worked as a public defender for a firm after law school. He returned to the prosecutor’s office when there was an opening, first handling juvenile cases and then felonies. Back then, he said there were only 15 attorneys in the office and each was assigned to a judge.

In 1984, he left the office to join a private practice, where he primarily focused on criminal defense and some personal injury. He left a few years later to strike out on his own.

Swanger started serving as a pro tem judge in Superior Court and Battle Ground Municipal Court in the ’90s, with his “eye on becoming a judge one day,” he said. A pro tem judge fills in when the sitting judge is unavailable.

He was appointed in 1999 as a full-time District Court commissioner and judge in July 2005.

A good judge, Swanger said, should obviously have judicial experience and solid knowledge of the law, but also a good temperament and patience.

“I’d say I was a pretty fair judge,” he reflected. “I listened and gave people the opportunity to be heard.”

Swanger has presided over thousands of cases over the years. But the one that’s stuck with him was a DUI case, where he ruled that a toxicologist couldn’t testify after problems at the state lab came to light in 2008.

His fondest memories are of his oldest granddaughter, Eve, now a freshman at Skyview High School, observing him in court. “I always got a kick out of it,” he said.

Swanger once gave her a legal pad to keep track of criminal cases, and when he looked it over, it read “drunk, drug, thief” with tally marks next to each, he said, chuckling.

Although he’s not worried about being bored in retirement, he said he will miss the people he works with and his involvement in the therapeutic courts — specialty programs for substance abuse, veterans and mental health.

“It was always great to see people change. (Therapeutic courts) take a lot of time and effort, but they make a difference,” he said.
Community service

Swanger and his wife, Mary, plan to spend much of their free time volunteering. He is in the process of training to be a refugee mentor and English as a Second Language tutor through Lutheran Community Services.

“I thought I might as well start before I’m too old,” he said.

Swanger is no stranger to community service. Over the years, he’s taught law classes at Clark College, and was a coordinator and adviser for the paralegal program. He also taught “street law” at four high schools — which included the basics of law and people’s rights.

Swanger received several awards for court improvement and public legal education at the national, state and local levels. In January 2011, former Gov. Christine Gregoire appointed him to serve on the Washington Traffic Safety Commission. He was also on the faculty of the Washington State Judicial College, teaching domestic violence classes and on the board of directors of the Washington Judges Foundation.

Anne Ashburn, Swanger’s judicial assistant for 10 years, describes him as a “gentle giant.”

“He has all of this authority, but you would never know that. He’s very humble,” she said. “He celebrates the staff here a lot. He’s our morale booster. I’m very sad to see him retire but very happy for him. He’s given his life to public service.”

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