

Judges, commissioners to head back to the table

By Steven Friederich
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MONTESANO — A professional mediator has once again been called in to help settle the differences between the Grays Harbor Superior Court judges and the county commissioners in their lawsuit, which is stretching into its 16th month.

The last time a mediator was brought in was June of 2012. The session lasted all day and into the evening hours, but nothing was settled. The lawsuit instead intensified with two separate attempts by the county commissioners to take the matter to the state Supreme Court. The court rejected both efforts.

The lawsuit is largely over the budget cuts from 2012, which have since been restored. But the issues also focus on courthouse security and whether the court needs a third courtroom. Plus, the commissioners cut the court budgets again in 2013, and even though it's not in the lawsuit yet, it could be amended to include it if the lawsuit isn't settled soon.

The lawsuit has been on pause for the past four months, at the request of both parties. But if both sides can't settle this month, everything heads back to Thurston County Superior Court.

Superior Court Judge Dave Edwards says the judges have offered their best settlement to the commissioners and says the ball is in their court as to whether to accept the terms.

The judges and the commissioners will once again engage the services of a retired judge, who works for Seattle-based Judicial Arbitration and Mediation Service. The new mediation is set for April 22. The parties will be in separate rooms with a mediator moving from room to room.

Costs for the legal services have exceeded half a million dollars between the parties.

County Commissioner Frank Gordon said he's looking forward to the mediation session, noting that he's tried to get to know the judges' issues as well as their personalities.

County Commissioner Wes Cormier said he's really appreciated the lunches he's had with Judge Edwards, in particular.

"I think communication is great," Cormier said.

Commissioner Herb Welch said he's hoping for the best, although he didn't want to comment on any specific proposals.

The commissioners have spent the past few weeks gearing up for the mediation and talking about potential settlement offers. Two weeks ago, they conducted a telephone executive session meeting, which lasted an hour, with Special Deputy Prosecutor Tom Fitzpatrick. Then, Fitzpatrick came down to meet with the commissioners in person last week for more than an hour.

On Wednesday, the commissioners have set yet another executive session to meet with Fitzpatrick. All executive sessions are closed to the public because the subject matter concerns ongoing litigation.

On Monday, the commissioners officially cleared their schedule for April 22. They won't conduct their typical morning meetings and will only meet briefly in the afternoon.

Welch said their main focus next Monday will be on the mediation.