

ELLENSBURG DAILY RECORD

Longtime Kittitas County judge Michael Cooper retires

Posted: Wednesday, October 5, 2011 12:59 pm | Updated: 5:41 pm, Wed Oct 5, 2011.

By BARB OWENS staff writer



Age: 66

Occupation: Superior Court judge for Kittitas County

Family: Wife, Susan; son, Marc; and daughter, Carrie

Years in the Valley: 34

Education: Woodrow Wilson High School in Tacoma, University of Washington, Washington State University, University of Montana School of Law, U.S. Army

Kittitas County Superior Court Judge Michael E. Cooper considered other careers before pursuing law.

"I wanted to be a cowboy," Cooper said. "That's why I went to Montana."

But he doesn't regret his decision to become a lawyer and, eventually, a judge. In the courtroom, everyone's story is different. No two problems are the same, and Cooper never disliked coming to work in the morning.

"Best job in the world. I wouldn't have done anything else," Cooper said.

After more than 22 years on the bench, Cooper is retiring. His last official day was Friday, capped by a retirement gathering in his honor in the big courtroom upstairs in the Kittitas County Courthouse.

More than 100 attorneys, visiting judges and other colleagues packed into the courtroom to recognize his years of service. His 93-year-old father, a retired federal magistrate judge, also was there.

Background

Cooper, 66, was born in New York and grew up in Tacoma where he graduated from Woodrow Wilson High School. He attended the University of Washington, Washington State University and the University of Montana School of Law.

Cooper was a security officer in the U.S. Army. His main duty was to provide physical security of nuclear weapons and secret documents. The JAG (Judge Advocate General's) Corps asked him to participate as an Article 32 judge, presiding over probable cause hearings in investigations on soldiers.

After the Army, Cooper lived in Helena, Mont., where he worked for the state attorney general. From there he moved to Tacoma where he worked for the city attorney. In 1977, Cooper became the city attorney for Pasco.

He and his wife, Susan, came to Ellensburg in 1978 where Cooper practiced law for 10 years, first by himself, then with Brian Frederick and Ken Beckley.

In 1988, Cooper was elected Kittitas County Superior Court judge and has served on the bench ever since.

'Gold standard'

Beckley, a trial lawyer whose law office is on North Pine Street in Ellensburg, has known Cooper since he first moved to town in 1978.

"He happened to buy a house out in the country right across from my acreage," Beckley said.

The two worked together in their practice and their kids grew up together. Beckley and Frederick were some of Cooper's top supporters when he ran for the judgeship.

"The citizens of Kittitas County and those who appeared in front of him may not have truly appreciated the fact that in our county we have had the absolute gold standard trial judge,"

Beckley said. "We could not have asked for anyone who was a better person and a better judge, and I mean that."

The cases

The hardest cases, Cooper said, are those involving child abuse. He enjoys presiding over intellectually challenging cases, such as those involving taxation, property disputes and medical malpractice.

He's also presided over a few murder trials, including one of the nation's first school shootings. In 1996, 14-year-old Barry Loukaitis shot four people at a Moses Lake junior high school, killing his math teacher and two classmates and wounding a third classmate.

The case was moved to King County due to concerns that Loukaitis would not get an impartial jury. The Moses Lake judge excused himself from the case because of his relationship with the victim's family. Cooper became the judge for the trial.

"When we were picking the jury there was another (school) shooting and another sometime through the course of the trial," Cooper said.

He remembers the emotions involved in the case, primarily from family members of the victims.

"Anywhere from hatred, forgiveness to expressions of love," Cooper said.

Part of the job

Containing his own emotions is something Cooper has learned to do over the years, which is the hardest during sentencing, he says.

Another drawback of being a judge is having to stay low key in the small community. And then there are the bomb threats.

In 2006, Cooper was en route to Seattle for a meeting when someone threatened to bomb the courtroom that morning. The courtroom was closed, and Cooper was followed by security for the rest of that day. Law enforcement went and checked on his house.

Another time a defendant tried to spit in Cooper's face, but the jailer stopped him.

"Those don't worry you as much as the domestic situations," Cooper said, referring to the people who suddenly erupt during the course of a trial.

People send Cooper updates from time to time about their lives and how he helped changed them for the better.

Cooper said if he is to leave any impression on the community, he hopes that people will say he gave them a fair hearing.

"Mike Cooper is a tough, courageous person who will step forward and call it the way he sees it," Beckley said. "Everyone knew when you appeared in front of Mike you got an absolute fair shake."

Even though at times people may not have agreed with his ruling, Beckley said.

Attorney Richard Cole, whose office is on Dolarway Road, said he has a lot of respect for Cooper, even though he didn't always agree with him.

"That's part of the deal," Cole said. "By definition half of the people in his courtroom are going to disagree with his decisions. If both parties are mad, it's probably a good decision."

Cole first met Cooper in 1965 at a party at UW. Cooper was an upperclassman. When Cooper came to Ellensburg to practice, he and Cole met again.

"He represented his clients with great skill, and he advocated well for them and also gave them good advice on what was practical and what was not."

As a lawyer, that's hard to do, says Cole.

"Because lawyers want to be cheerleaders. Attorneys should be giving good, sound legal advice and, if they're wrong, you've got to have the guts to tell them they're wrong," Cole said.

Cole said it was an honor to be in Cooper's courtroom.

"We're going to miss him. It's going to be hard for him to be replaced," Cole said. "I hope that Gov. (Chris) Gregoire makes a good appointment."

New projects

In his retirement, Cooper wants to refocus his life and do something of significance. He and his wife, Susan, plan to get more involved with a mission in Ethiopia that does micro loan financing for Ethiopian women.

Clients are screened and extended a \$300-\$500 loan for a year. They use the money to make more money. For example, coffee is a big crop there. A loan would give a woman enough money to purchase a donkey so she could carry more coffee.

One client bought a cow with her loan so she could make butter and sell it with the coffee, Cooper said. Another woman started a hair salon. She was successful and the next year she opened a men's barbershop.

The loans have a 99 percent repayment rate, Cooper said, and the extra money the women make allows them to send their daughters to school.

"It's not a step out of poverty by any means, but it's a leg up," Cooper said.

Also in retirement, Cooper wants to write a book about his great-grandmother.

"Of course I've got to improve my golf game, too," Cooper said.

For his successor, who will be appointed by Gov. Gregoire in November and must run for election in 2012 to keep the position, Cooper said "The job will humble you, so don't ever think too much of yourself."

He said he's going to miss the everyday challenges and the relationships he's developed over the years.

Replacing Judge Cooper

Gov. Gregoire is seeking qualified members of the Washington State Bar Association to fill Kittitas County Superior Court Judge Michael Cooper's position. The governor will appoint a new judge in November, said Narda Pierce of the governor's office. The new judge will serve the remainder of Cooper's term. To continue on the bench, the new judge must run for election in November 2012.

Interested and qualified people must submit an application to Narda Pierce, General Counsel, Office of the Governor in the Legislative Building at P.O. Box 40002, Olympia, WA 98504. Visit www.governor.wa.gov/judicial to download an application.

The deadline to apply is Oct. 17. Judicial evaluation ratings must be submitted by Oct. 26.

Cooper said he will stay on board pro tem after Oct. 1 to finish cases that are pending and to serve as judge in other cases to the extent that parties agree until his successor is appointed and takes office.