



Wednesday, April 24, 2024

Your Details

Basic information about yourself

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| I am a candidate running for... | Spokane County Superior Court Judge, Position 11 |
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Please list any/all social media account URLs.

VoteVW on FB, Instagram, and X

Getting to Know You

This next section will give you the opportunity to provide details about who you are as a person, candidate, and member of the community.

Tell us about yourself.

I am running for Spokane County Superior Court, position 11, currently held by Judge Tim Fennessy. I am running for superior court because the law is at a generational crossroads and on the cusp of a staffing crisis. One of the largest generations in American history is retiring and the upcoming generations are not producing enough lawyers to fill the holes. Moreover, new technologies have made the practice of law substantially more time consuming than it used to be. As a result, court cases are taking longer to resolve and more people are not able to find a lawyer to take their case. The results are increasingly justice delayed and justice denied. Emerging technologies also hold promise for relieving many of these problems. But, adoption of new ideas and technologies requires judges who are willing to accept change and who are willing to help develop and implement new ideas. We need judges who are going to right this sinking ship and not just bail water until they can collect their pension.

I am running against Judge Fennessy because he has lost the confidence of prosecutors and public defenders alike. Judge Fennessy

has a reputation for treating lawyers and other court participants poorly. His demeanor toward crime victims has resulted in the prosecutor's office prohibiting him from hearing over 100 serious and violent offenses in just the last year through the notice of disqualification process. Judge Fennessy is also contributing to the increasing backlog in cases in Spokane County Superior Court. In 2019, Judge Fennessy was admonished by the Commission on Judicial Conduct for not deciding cases in a timely manner. Also in 2019, the superior court commissioned an efficiency study. A new study was conducted again in 2024, which found many of the 2109 recommendations still unfilled and not even started. As presiding judge of the court, the responsibility for failing to make any progress on many of these recommendations lies with Judge Fennessy.

Currently, I am the senior staff attorney for the Washington State Court of Appeals where I work in-house for the court's judges, helping them decide cases from superior courts throughout Eastern Washington, including Spokane County Superior Court. Since 2021, I have also been a pro tem court commissioner in Spokane County Superior Court where I have presided over hundreds of cases, including 22 bench trials. Previously, I was a deputy prosecutor in Chelan County where I was in court almost daily for five years and tried everything from traffic tickets to homicide and everything in between. These experiences have prepared me to serve as a superior court judge.

I am a third generation Spokanite and have spent most of my life in Spokane County. I am a graduate of Shadle Park High School and Spokane Falls Community College. Most of my family lives in Spokane, including extended family. I have been married to my wife, Lauren, for 12 years and we make our home in Colbert. My hobbies include playing the bagpipes with the Angus Scott

List any relevant experience, leadership, or service.

My entire career has been spent in public service. I am the senior staff attorney for the Washington State Court of Appeals & also a pro tem court commissioner in Spokane County Superior Court. Previously, I served as a deputy prosecutor for Chelan County. As a prosecutor, I helped create Chelan County's first alternative court, an adult drug court, & also received the Bucky Award for Excellence for helping end a long-running source of animal cruelty & neglect. At the Court of Appeals, my accomplishments are mostly confidential, but publicly I have taught numerous courses to lawyers & judges.

Describe your duty to the office you are running for and how you will achieve success.

If elected as a superior court judge, my duty will be to decide every case fairly and impartially, without unnecessary delay, and to listen to and carefully consider all evidence presented to me. Relevant to being a judge, my leadership style is to always maintain decorum by example and through my calm demeanor.

Judges need to remain dispassionate before parties and juries, avoiding temptation to scold or embarrass attorneys in front of their clients or jurors. Courts work best when judges reduce friction and conflict, instead of adding to it.

What does success look like for this position and what key performance indicators should voters use to evaluate you?

Success to me is maintaining and building on my existing reputation for the above under question 2. With respect to objective metrics, success to me is also reducing the average time it takes cases of all types to be resolved in Spokane County. I will also consider my time on the bench successful if four years from now we have more resources to help individuals to represent themselves in court than they have today.

What community activities are you engaged in? Have you held leadership roles in any of these organizations?

Current: Member, Angus Scott Pipe Band; Member, Spokane County Bar Assoc.; Chairman, Spokane Regional Behavioral Health Adv. Bd.; Member and subcommittee chairman, WSBA Court Rules and Procedures Committee.

Past: Spokane County Juvenile Court Criminal Diversion Board; Spokane Regional Transportation Council: Transportation Advisory Committee; Wash. St. Supreme Court's ad hoc Remote Jury Trials Workgroup; President, Young Lawyers of Chelan & Douglas Counties; NCW Regional Representative, WSBA's Young Lawyers Committee

Your Political Beliefs

This section contains a series of questions about your alignment concerning broad governmental philosophies as well as some specific issues.

Where do our rights as citizens of the United States come from? Under what conditions can government infringe or suspend them?

Our rights come from God first and ourselves as a collective body second. We have chosen to enshrine (protect) many of these rights in the Constitution and others in our statutes. Government can only infringe on or suspend our rights to the extent we the people have given government permission to do so in the Constitution or through the laws we elect our representatives to enact.

Do you consider yourself a constitutional originalist or do you prescribe to it as a living document? Please explain.

I consider myself a textualist. Originalism assumes we can know what the framers of the Constitution and members of the public intended when the Constitution was written and ultimately ratified by the states. Textualists place less reliance on intent of the framers because history rarely reveals a single intent or whose intent carried the majority. Textualists instead place more reliance on the words as written and what those words would have meant to the drafters and the public at the time of drafting/ratification. Frequently, the ultimate goal of textualists and originalists is to promote respect for the voting public. If part of the Constitution is not up to the tasks of today's world, textualists and originalists believe it is the people who should amend it, not judges.

What is the purpose of government? If elected, how will you perform your duties based on that "purpose?"

The purpose of government in our constitutional republic is to serve the citizens. Government first and foremost protects the citizens from outside threats, but also protects us from each other when necessary. In our particular variety of constitutional republic, government also facilitates the functioning of an internal free market for goods and services and provides limited goods and services when the free market cannot provide the same in a manner acceptable to the citizenry. If elected to serve as a superior court judge, my role would be to protect the people from each other through upholding criminal laws and providing just resolutions to private disputes. Judges also have a role in serving as a check on the other branches of government, but this role is more limited for trial court judges than it is for supreme court justices.

When does life begin and at what point does the government have a duty to protect it?

As a candidate for judicial office I am required to adhere to the Code of Judicial Conduct, which prohibits

me from answering this question. Judges are generally prohibited from expressing opinions about what they believe the law should be, except in narrow circumstances concerning operation of the courts.

Do you have any criminal convictions, ever filed for bankruptcy, have any active or unresolved tax liens, any conflicts of interest that may jeopardize your candidacy?

No

Describe how you will make yourself available to your constituents and vote as their representative, adhering to the values and answers you've provided in this questionnaire.

Judges are inherently isolated from the public they serve. A degree of isolation is required for judges to maintain not just impartiality, but also the appearance of impartiality. Judges can still be available to the public by attending community events.

Please provide any feedback, comments, or questions that you have for the SCRCC.

The questionnaire requests a "home address." I provided my PO Box for privacy in the event the party publishes this questionnaire on its website. I am willing to provide my home address upon further request if it will not be published.

Please rate this process.

