

King County Democrats 2008 Judicial Candidate Questionnaire

Candidate Name	Susan Amini
Position sought	King County Superior Court Judge Pos. 1
Residence LD	45 th legislative District
Are you the incumbent?	no
Campaign Information	
Campaign Name	Friends of Susan Amini for Judge
Web page	www.susanaminiforjudge.com
Campaign Email address	Cyrus.Habib@susanaminiforjudge.com
Manager	Cyrus Habib & LaVerne Lamoureux
Campaign mailing address	11130 NE 33 rd PL Ste 120 Bellevue, WA 98004-1465
Campaign phone number	425-454-3700 or 360-485 8383 (L.Lamoureux)
Campaign FAX	425-455-9860

Candidate Background: Community service, education, employment and other relevant experience.
Which undergraduate and law schools have you attended? Include Graduation date, degrees.
University of Maryland, School of Law, Juris Doctor,
University of Tehran, School of law and Political Science, Bachelor of Art in Political Science

Hours and types of pro bono work performed.
My pro-bono hours differ from year to year. For example on one asylum case I spent over 180 hours. On average each year I have one or two cases that I take as a pro-bono matter . These usually involve domestic violence issues and are in the area of family law (divorce/custody) and /or immigration (Violence Against Women Act). At times they were a combination of both areas of law.
In addition, I also provided pro-bono services as a volunteer for the Immigration Clinic.

Have you ever been a prosecutor for any government entity? If yes, where and how long?
No

Have you ever defended a person accused of a crime? If yes, where and how many cases?

King County Democrats 2008 Judicial Candidate Questionnaire

Yes.

I started my legal practice as a public defender with Associated Counsel for the Accused. In that capacity I was assigned a case load of 60 or more cases per month. I began my private practice in 1994 and continued with criminal defense practice while I expanded my practice to the areas of Family Law, Immigration and Personal Injury. For a period of 7+ years my firm was one of the two firms that handled the public defense contract for the City of Bellevue. During those years our base case load was a minimum of 600 cases a year. During that time, I had two associate attorneys who also worked on the public defense contract. I supervised and managed the contract as well as represented a number of public defense clients and conducted jury trials. During this time, I also represented private clients.

Criminal cases that I have handled range from misdemeanor cases to felonies and juvenile cases. The cases have been primarily in King County Superior Court and District/Municipal courts with occasional cases in Snohomish Courts.

Have you ever served as an arbitrator or Mediator? If yes, where and how many times?

Yes. Since 1994, I have been appointed to the Fee Arbitration Panel for the Washington State Bar Association. The Arbitrations have all occurred in my office in King County. Since 1994, I have arbitrated approximately 15 distinct matters.

King County Democrats 2008 Judicial Candidate Questionnaire

How many times have you participated as a judge or attorney in:	
Municipal Court	Numerous times as an attorney in different Municipal courts; I sat as a Pro-tem in Mercer Island Municipal Court 3 to 4 times
District Court	Numerous times as an attorney in different King County, and Snohomish County District Courts; I sat as a Pro-tem numerous times in Renton District Court and one time in Aukeen District Court presiding over a jury trial
Superior Court jury trials	None, although many cases were set for trial. I have conducted numerous jury trials in District and Municipal courts.
Arguments in Court of Appeals	None
Arguments in State Supreme Court	None
Federal District Court trials	None

What ratings and endorsements have you received?	
Municipal League	Still to be interviewed
King County Bar Association	Well Qualified
Washington Women Lawyers	Waiting for results
Loren Miller Bar Association	Qualified
QLAW: the GLBT Bar Association	Qualified
Latina/Latino Bar Association	Exceptionally Well Qualified
Joint Asian Judicial Evaluation Committee	Qualified

Which organizations and individuals have endorsed you in this race?
The Organizational, Labor Union, and Legislative District processes for endorsements have just begun. I am pleased to have added to my individual list of more than 250 people, Former Governor Gary Locke, King County Executive Ron Sims, Speaker of the House Frank Chopp and State Supreme Court Justice Charles Z Smith (ret.). In addition I

King County Democrats 2008 Judicial Candidate Questionnaire

currently have 20 seated or retired judges, and am adding new endorsements daily, including, numerous state representatives, senators, commissioners, mayors and other elected officials throughout King County. Please check my website for the most current list of endorsements.

Which judicial candidates have you endorsed in the past five years?

None in the past 5 years.

Have there ever been any successful claims made against you or your malpractice carrier? If "yes" please attach explanation.

There has not been a claim made against me. However, a few years ago, due to a paralegal's sudden medical predicament, a mistake was made on a case. As soon as I became aware of the oversight, I contacted my insurance carrier and advised them. I also disclosed the mistake to my client. Per my request, my insurance carrier provided my client with a satisfactory outcome for her case. There were no claims ever brought up by the client. I believe one has to face responsibilities in life without excuses. In this case, I wanted my client to be satisfied and she was.

List any complaints you have received through any Bar Association, Judicial Conduct Committee or Board, or private insurance carrier. (Attach on a separate sheet of paper.)

There were two grievances filed with the WSBA, one in 2003 and one in 2005. They were both dismissed by the Washington State Bar Association.

In October 2003, Ms. Sharon Valbush complained about the settlement of the personal injury matter that we handled on behalf of her minor children. After negotiations, Ms. Valbush had approved the settlement offer on behalf of the children. We had Mr.

King County Democrats 2008 Judicial Candidate Questionnaire

Yevgeny Berner appointed as the Guardian ad Litem in this matter as the injured parties were minors. Mr. Berner (GAL) had reviewed and approved the settlement and the Court had approved it as well. Ms. Valbush did not appear at the scheduled hearing and would not sign the insurance release forms. The matter was heard by the Court on a motion to authorize the Guardian Ad Litem to sign the insurance releases. Court approved the motion and signed the Order authorizing the Guardian at Litem to do so. Ms. Valbush then filed a grievance with the WSBA. Her grievance was dismissed in November 2003

In June 2005, Mr. Aziz Gilbert, filed a grievance based on having paid \$200 for an in office consultation on a complicated immigration matter. He later had decided not to retain my services beyond the consultation. His complaint was dismissed in February 2006. I also refunded the \$200, although this was not a requirement.

What is your strongest area of legal expertise?

My practice areas include: Family Law, Criminal Defense, Immigration and Personal Injury (auto accidents). These are the areas to which I have dedicated my practice over the past 17 years. These are also areas of the law that impact individual people's lives the most. My clients have been individuals who have found themselves in a difficult situation, and I have used my legal knowledge and experience to help them find a constructive and productive solution for their legal predicament.

What recommendations do you have for improving court system funding and administration?

Funding for the court system has been an ongoing challenge for local governments. I believe that, in order to maintain and nurture the rule of law, we need a well funded court system in our state. In reviewing the task force reports on this issue, it seems that the funding for the courts has to be addressed and secured at the State level in order to bring a balance between the County and the State's budget in this area.

King County Democrats 2008 Judicial Candidate Questionnaire

I do not believe that imposition of fines and penalties by the courts should be considered as a funding mechanism. I believe such an approach would be flawed on a public policy basis. Fines and penalties should only be for the purposes of punishment and deterrence and not funding of a branch of government.

To improve the administration of the courts and to ensure the timely handling of cases, we need an effective case management system for all cases including, civil and domestic cases. Programs such as Unified Family Courts and Therapeutic courts i.e. drug courts, are helpful in handling special issue cases effectively.

We can also reduce the number of trials and cut down the length of time that it takes for cases to reach a final result by promoting Alternative Dispute Resolution (Mediation and Arbitration). Judges can participate as mediators in cases that are not in front of them for trial. This process does not require additional "mediator fees" for the litigants and helps over all congestion in the courts.

What actions have you taken in the last five years on issues regarding access to the judicial system?

As part of my involvement with the American Immigration Lawyers Association (AILA), I chaired/ coordinated the Immigration Legal Clinic (part of KCBA's Specialty Legal Clinics) from 2003 to 2005. In that clinic, we served minority groups, indigent people and ethnically diverse people with immigration issues. We helped with their immigration forms, gave them guidance regarding the forms that they needed and provided further legal help if needed as a pro-bono matter. Prior to being a chair/coordinator for this program, I had been a volunteer attorney for the Immigration Legal Clinic from 1996.

I also provided public defense services for the City of Bellevue for 7+ years. In that capacity I set a high standard for my associate attorneys and the staff, so that these clients would receive the same level of client service as did our private clients. I explained to the staff that we had to realize that, for some of the clients who were assigned to us, managing the various elements of their case was daunting and intimidating. This was particularly true in instances where our client spoke English as a second language or was dealing with mental health issues. We had to make sure that we facilitated the process for them as much as possible.

I believe that, in order to conduct a fair hearing, a judge must ensure that the litigants have

King County Democrats 2008 Judicial Candidate Questionnaire

adequate access to justice and legal representation. This access becomes significant when the person is dealing with a criminal matter or contested divorces where there are allegations of domestic violence, child abuse or alcohol and drug abuse. In such cases, or in cases where a judge can see that without access to legal representation the person will not receive a fair hearing, and where the person is at risk of losing a fundamental right, the judge should direct the litigant to any available resources that exist.

I firmly believe that: **“Injustice anywhere is a threat to justice everywhere.”** as stated by Martin Luther King Jr.

I have always worked towards fair and just resolutions in my cases. To assist with access to justice and to give a voice to people who would not have a chance to be clearly heard otherwise, I have also provided pro-bono representation in family law and immigration cases. For example, one such client was an Afghani man in immigration detention when Hon. Judge Kenneth Josephson requested that I take on his representation. The individual was from Afghanistan and had fled the Taliban Government seeking asylum in the U.S. He was in removal proceedings. I represented him through the trial and was successful in securing asylum for him.

I also represented another individual in his asylum case on a pro-bono basis. This was a case of an Iranian man whose claim was based on having translated Salman Rushdie’s Satanic verses in Iran, and feared for his life if he returned to Iran.

I have worked with cases referred through Chaya (a local nonprofit organization) in which women from South Asia were in abusive relationships and in need of help. I represented these clients in their protection order proceedings and in dissolution matters.

I represented a client who was in an abusive relationship by filing a self petition (VAWA), again as a pro-bono matter. We were successful in receiving her permanent residency.

What recommendations do you have for increasing access to the judicial system (Civil and Criminal)?

In criminal cases, the Constitutional right to be represented by an attorney mandates that the person, if unable to afford at attorney, be afforded one at public expense. I believe it is the responsibility of judges to ensure that each individual defendant is

King County Democrats 2008 Judicial Candidate Questionnaire

afforded adequate representation. The court is ultimately responsible to ensure this Constitutional right is satisfied at all stages of criminal proceedings.

In civil matters, a recent study of access to justice issues in Washington reported that approximately 87 percent of all low-income households in Washington State experience at least one civil legal problem each year and that low-income people face more than 88 percent of their legal problems without an attorney.

It is also important to note that legal problems faced by low income families are more likely to relate to safety issues (including domestic violence), housing and other basic needs than those experienced by people with higher incomes.

I believe that there is a critical need for civil legal services for low income people. As with criminal indigent defense, the importance of the availability of civil legal services to those who cannot afford help is essential to providing justice.

I also believe that having free seminars on legal issues and procedures for routine matters conducted by judges or attorneys in different community centers would help individuals become more informed about their own rights under the law. Judges and or attorneys can explain the court system and procedures and review forms needed for a specific process with them. Having a monthly meeting with judges will familiarize people with the legal system and provide and enhance their access to our legal system for them. People should be able to handle a routine legal matter easily and with confidence themselves.

If a sitting Judge, what committees have you been appointed to and what are the significant accomplishments of those committees or yourself? If not, which committee assignments would you seek?

I would seek assignments to the following committees:

Courts and Community, Family Law and Human Relations

Have you reviewed the General Rule Definition of the Practice of Law, and the Practice of Law Board's Work? - Do you have comments or ideas? Would you be in favor of the proposed Legal Technician Rule? This rule allows trained, tested and licensed non-lawyers to provide

King County Democrats 2008 Judicial Candidate Questionnaire

specifically defined legal services without supervision by a lawyer. Please explain.

I am in favor of the principle of having a Legal Technician category as these technicians would be able to provide limited legal assistance in a more accessible and affordable fashion in cases that do not require the full services of an attorney.

In order to protect the community, I believe that the Legal Technicians should work under the supervision of an attorney and that they should be licensed by the Bar Association. As with attorneys, there should be a requirement of participating in a set number of seminar hours per year to make sure that they are well aware of the changes in the law and legal procedures. I believe these requirements would protect the public from misrepresentation by people who should not be practicing law even on a limited basis.

Have you been appointed as a guardian or Guardian Ad Litem? If "yes", please give the details?

Yes. In the mid 1990s I participated in the Guardian ad Litem (Elder law) training and I was on the King County Court Roster. I was appointed to several cases as a guardian ad litem. The issues in those cases ranged from the protection of at risk elderly individuals from neglect and abuse, as well as their financial protection, and ultimately end of life decisions.

In all of those cases, I represented the person until a Guardian was approved by the Court.

How have you promoted diversity within your staff?

I began my practice in 1994. Since then, I have had staff from many different ethnic backgrounds (El Salvador, Mexico, Ethiopia, Romania, and England) to name a few. Although I have hired women and men as associate attorneys, paralegals and legal assistants, the majority of our staff have been women.

King County Democrats 2008 Judicial Candidate Questionnaire

What are the main messages of your campaign? What is your campaign plan? How many doors have you knocked on to date, pieces of mail planned, budgeting, staffing? What is the fundraising goal for your campaign? How much have you raised to date? Why will you win?

At the heart of why I am running for this position, and why I believe I will be elected in November, is my experience—both personal and professional. I will bring 17+ years of courtroom experience as a lawyer and as a Judge Pro Tempore throughout King County. I have trial experience at all levels of courts in King County. I have represented a wide range of clients –from victims of domestic violence and child abuse to at risk elderly and small business owners. I have advocated for the disabled, both for others and my own son, who went through the public school system blind, having lost his sight at age 8. I worked on his behalf, but also gave voice to all the children and families who are faced with similar challenges in our public education system.

With respect to Judicial Process, I have the highest regard for the law. My personal life experience has taught me the value of rule of law and its fair application. When elected as a Judge, I will demonstrate fairness and objectivity for every individual and case before me. My respect for the law and a fair process is the core of who I am. My professional experience from representing low-income clients as a public defender to representing clients with multi-million dollar assets as a private attorney provides me with a unique depth of knowledge. I know as a judge I will be able to bring about a fair and just result to the whole case, taking both sides into consideration and be able to be more effective in the administration of justice.

My Campaign Plan: Because of the early primary, my campaign plan focuses on early voter contact. I will use direct mail, personal contacts, organizational endorsements, and personal endorsements and as much voter to voter outreach as possible.

Extensive doorbelling is not viable in a King County Judicial race, due to the size of the county and the size of our campaign budgets. I am participating in as many community and Legislative District events as possible throughout King County, and have been for several months. I will continue to participate in community events even after elected, as I believe judges need to be connected to, and involved in, our community.

As a judicial candidate I cannot be responsible for my campaign's fund raising operations, nor can I be aware of contributors or amounts.

King County Democrats 2008 Judicial Candidate Questionnaire

I have both paid and volunteer staff. The majority of the people working on my campaign are volunteers.

I will win this election because of my experience, my knowledge of the court's work, and my commitment to the values held dear by the residents of our county. I will continue to gather the support of my fellow King County residents, from judges and elected officials, to law enforcement and community leaders, to my colleagues in the legal profession. I will work hard to earn the trust and support of the voters I meet throughout the county. When elected, I will bring that same work ethic to the bench, delivering the quality of jurisprudence that residents of King County deserve.

I have read this questionnaire and understand and approve the content and all provided information.

Printed Name	Susan Amini	Date 4-18-08
Signature	<i>Susan Amini</i>	