

King County Democrats 2008 Judicial Candidate Questionnaire

Candidate Name	Nic Corning
Position sought	King County Superior Court Position 37
Residence LD	46th
Are you the incumbent?	No
Campaign Information	
Campaign Name	Nic Corning for Judge
Web page	www.niccorningforjudge.com
Campaign Email address	info@niccorningforjudge.com
Manager	Pat Corning
Campaign mailing address	720 Third Avenue, Suite 1400 Seattle, Washington 98104
Campaign phone number	206-525-1514
Campaign FAX	

Candidate Background: Community service, education, employment and other relevant experience.
Which undergraduate and law schools have you attended? Include Graduation date, degrees.
Seattle University, BA in Commercial Science, <i>cum laude</i> , 1968
University of Washington School of Law, Juris Doctorate, 1972

Hours and types of pro bono work performed.
I have performed thousands of hours of pro bono work as an attorney representing individuals in civil disputes without charging any fees. I have also mentored law students and young attorneys, founded a People's Law School for non-lawyers. I have written extensively for attorneys, delivering over 2 dozen papers at Continuing Legal Education Seminars for the Washington State Bar Association (WBA), The King County Bar Association (KCBA), the American Association for Justice (formerly the American Trial Lawyers Association), the Washington State Trial Lawyers Association (WSTLA), and others. I have volunteered thousands of hours on committees and task forces created by WSBA, KCBA, WSTLA, Foundation for Washington State Courts (FWSC) relating to access to justice, promoting diversity in the legal profession, court funding, judicial selection, composition of the Supreme Court, mandatory arbitration, court rules, trial practice/techniques, and ethics.

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Have you ever been a prosecutor for any government entity? If yes, where and how long?

Yes. I prosecuted the City of Lynnwood's Municipal Court cases as a Rule 9 intern from 1970 -1972.

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

Yes. I have defended many persons accused of misdemeanors in numerous municipal and district courts in King, Pierce, Skagit and Snohomish counties. The charges ranged from traffic violations, DUI, shoplifting, etc. I have also defended persons charged with felonies in King County, Snohomish, Pierce, Kitsap and Jefferson County as well as Federal District Court. Charges ranged from Domestic Violence assault to poaching wild game out of season.

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

Yes. I have been a court appointed arbitrator in over 80 cases in King County Superior Court and approximately 20 more as an arbitrator selected by the parties in private insurance disputes. I have also served as a neutral Mediator in several private insurance disputes.

How many times have you participated as a judge or attorney in:

Municipal Court	500 or more
District Court	100 or more
Superior Court jury trials	50 or more
Arguments in Court of Appeals	5 - 10 or more
Arguments in State Supreme Court	5 or more
Federal District Court trials	4 or more

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What ratings and endorsements have you received?	
Municipal League	Not Yet Rated
King County Bar Association	Exceptionally Well Qualified
Washington Women Lawyers	Exceptionally Well Qualified
Loren Miller Bar Association	Well Qualified
QLAW: the GLBT Bar Association	Well Qualified
Latina/Latino Bar Association	Well Qualified
Joint Asian Judicial Evaluation Committee	Exceptionally Well Qualified

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Which organizations and individuals have endorsed you in this race?

Tom Chambers, Washington State Supreme Court Justice
Mary Fairhurst, Washington State Supreme Court Justice
Faith Ireland, Washington State Supreme Court Justice (retired)
Richard Sanders, Washington State Supreme Court Justice
Debra Stephens, Washington State Supreme Court Justice

Andrea Darvas, King County Superior Court Judge
Donald Horowitz, King County Superior Court Judge (retired)
Charles Mertel, King County Superior Court Judge
Laura Gene Middaugh, King County Superior Court Judge
Stephen Reilly, King County Superior Court Judge (retired)

Phyllis Gutierrez Kenney, State Representative
Adam Kline, State Senator
John Landenburg, Pierce County Executive

John R. Alexander
Mark Barber, Past President, Washington State Trial Lawyers Association
Ben F. Barcus
Andrew Benjamin
Scott Blair
Wayne Blair, Past President, Washington State Bar Association
Tim Blue, President, American Board of Trial Advocates
Ralph Brindley, President-Elect, American Board of Trial Advocates
John Cary, Past President, King County Bar Association
Jack Connelly, Past President, Washington State Trial Lawyers Association
Don Davis
Susan Davis, Past President, Washington State Trial Lawyers Association
Bob Dawson, Past President, Washington State Trial Lawyers Association
Katy Garvin
Pat Greenstreet
Steve Hall
Roland Horth, UW Law School Dean (retired)
Hal Hodgins, Past President, Washington State Trial Lawyers Association

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Leo Kenney
Bill Leedom
Pat LePley, Past President, Washington State Trial Lawyers Association
Ralph Maimon, Past President, King County Bar Association
Sim Osborn
Rodney B. Ray, Past President, Washington State Trial Lawyers Association
Tony Robinson
Vonda Sargent
Larry Shannon
Marc L. Silverman
David Snell, President-Elect, Pierce County Bar Association
Jim Sorrels
Jean Stuart
Kevin Sullivan
Jim Tomlinson
Ronald R. Ward, Past President, Washington State Bar Association
Louis Wright
Margaret Wright

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

I have endorsed:

Chief Justice Gerry Alexander, Washington State Supreme Court

Justice Debra Stephens, Washington State Supreme Court
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Justice Tom Chambers, Washington State Supreme Court
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Honorable Marlin Applewick, Washington Court of Appeals, Div. 1

Honorable Andrea Darvas, King County Superior Court

Honorable William Downing, King County Superior Court

Honorable Richard Eadie, King County Superior Court

Honorable Michael Trickey, King County Superior Court

Honorable Richard A. Jones, King County Superior Court
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Honorable Richard F. McDermott, King County Superior Court
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Honorable Laura Gene Middaugh, King County Superior Court

Honorable Mary Yu, King County Superior Court

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

Yes. A client sued me (*Cogswell v. Corning* - King County Superior Court) because my office filed a Governmental Tort Claim with the Whatcom County Auditor, but a local ordinance required it to be filed with the Clerk of the Council. The suit was settled and dismissed. I worked to have the 2001 Legislature amend RCW 4.96 (Engrossed House Bill 152) that now requires each governmental entity to register with the County's Auditor the identity of the agent it authorizes to accept Governmental Tort Claims.

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.)

None.

What is your strongest area of legal expertise?

Trial Practice dealing with complex litigation in areas like employment and discrimination laws, product liability, insurance law, highway design and liability and other tort law.

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

The Washington State Court System is in a growing financial crisis because it relies too heavily on county funding. The State Legislature has to contribute more financial support to avoid a catastrophe because the county's tax base is declining despite increased demands for court services by an increasing population and unfunded mandates imposed by the legislature.

To improve administration I would like to see more civil trial attorneys appointed or elected to King County Superior Court. A better working understanding of civil litigation would help eliminate unnecessary bureaucratic court rules that waste time for the judges, their staff, the parties and their attorneys. I also support Unified Family Court with pre-assigned judges in family disputes and I favor development and using greater cost saving technology.

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

I worked tirelessly to oppose Initiative 330 which would have closed the courthouse doors to innocent victims of medical malpractice. I worked tirelessly to pass Referendum 67, the Insurance Fair Conduct Act, so that injured people have access to the courts to redress unfair and unreasonable conduct of insurance companies. As President of the Washington State Trial Lawyers, and before, I worked with task forces and committees of the Washington State Bar Association (WSBA) which, in 1994, recommended the creation of the Access to Justice Board (ATJ), an autonomous body, authorized by The Washington State Supreme Court, to achieve equal access to the civil justice system for persons facing economic and other significant barriers. Access to justice includes access to the bench and I serve on the WSBA Task Force on Judicial Selection, authoring its Minority Report which was adopted by the WSBA Board of Governors on June 6, 2008.

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

King County has a vast number of programs that provide civil legal services, from pro bono programs, law school clinics, specialty legal services and information/referral services. A centralized intake system is needed to make the system more accessible and user friendly. The multitude of independent agencies, through the Access to Justice Board and enhanced technology, can develop a comprehensive database of resources. The need remains to increase volunteer attorney involvement in pro bono programs.

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 assignment to the Judges' Rules Committee because I believe many civil court rules were created by judges with limited civil practice experience and cause wasted time for lawyers, litigants, judges and the staff. Although well intended, those rules create unnecessary barriers for pro se litigants, thereby denying them access to justice.

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

Yes. I believe General Rule 24, defining the practice of law is excellent. I am impressed by the work of the Practice of Law Board and favor adoption of its recommendations regarding the authorization for the performance of specifically defined legal services without lawyer supervision in family law cases.

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

Yes. I have been appointed as a Guardian Ad Litem (GAL) for an elderly woman in a proceeding to appoint a permanent Guardian over her person and estate. I met with the woman, spoke to her family, neighbors and health care providers and reported to the court. I have been appointed many times by the court to serve as a Settlement Guardian Ad Litem, for minors and incapacitated persons engaged in civil litigation arising out of personal bodily claims, pursuant to Special Proceeding Rules (SPR 98.16W). In each case I interviewed the minor or incapacitated person, their family, the litigation GAL, the attorneys for all parties, compared the proposed settlement with settlements and verdicts of similar claims and provided written reports and recommendations to the court.

How have you promoted diversity within your staff?

Throughout my career I have promoted diversity within my staff by recruiting and hiring minorities as staff and attorneys. I have been equal law partners with three women attorneys and I have hired numerous minority lawyers and staff. I created and chaired the first Diversity Outreach Committee of the Washington State Trial Lawyers Association (WSTLA) to identify, recruit and empower minorities in WSTLA and the legal community.

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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?

The main message of my campaign is that I am the most qualified candidate with the most practical experience as a trial lawyer. I consider serving as a judge to be a way I can give back to the legal profession and our legal system that I love. I have the intelligence, compassion and temperament to be a great judge. I filed for office only three days ago so I have not yet established my campaign strategies. I have a paid consultant and volunteer staff. I will have to rely on endorsing organizations to help me doorbell and fundraise. My fundraising goal is approximately \$100,000 and my Treasurer received pledges of \$10,000 or more over the last few days. I will win because I have an outstanding reputation in the community and am a well known advocate for improving Washington law and the legal system. I am organizing a winning team of campaign workers and volunteers.

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

Printed Name	Nic Corning	Date
Signature		June 9, 2008