

King County Democrats 2008 Judicial Candidate Questionnaire

Candidate Name	Mary Fairhurst
Position sought	State Supreme Court, position 3
Residence LD	22
Are you the incumbent?	Yes
Campaign Information	
Campaign Name	Re-Elect Justice Mary Fairhurst
Web page	www.JusticeMaryFairhurst.com
Campaign Email address	info@justicemaryfairhurst.com or barbara@chadwickcms.com
Manager	Barbara Chadwick
Campaign mailing address	6969 Littlerock Rd SW Tumwater, WA 98512
Campaign phone number	425.572.0854 and 206.898.9841
Campaign FAX	425.572.0854 (call first)

Candidate Background: Community service, education, employment and other relevant experience.
Which undergraduate and law schools have you attended? Include Graduation date, degrees.
Please see attached resume.

<p>Hours and types of pro bono work performed.</p> <p>I have been a strong advocate and financial supporter for Access to Justice for low and moderate income individuals and families. As an Assistant Attorney General, I volunteered in the Thurston County Volunteer Legal Clinic. I was on the WSBA Board of Governors when the Access to Justice Board was created. The Supreme Court oversees the Access to Justice Board. I have attended numerous Access to Justice conferences, performing in many skits and speaking on several CLE panels through the years. For 2 years I served on the Access to Justice Resource Development Committee. Most recently, I have worked with the WSBA Pro Bono and Legal Aid Committee to get the Supreme Court to author a letter to recruit volunteer lawyers and an article for the WSBA News. I encourage pro bono participation regularly in speeches and ethics CLE presentations. I think the judge plays a vital role in enhancing access to justice. We do this by speaking about the issue, supporting necessary rule changes, and contributing financially, all of which I do.</p>
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<p>Have you ever been a prosecutor for any government entity? If yes, where and how long?</p> <p>no</p>

<p>Have you ever defended a person accused of a crime? If yes, where and how many cases?</p>
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no

Have you ever served as an arbitrator or Mediator? If yes, where and how many times?
no

How many times have you participated as a judge or attorney in:	
Municipal Court	0
District Court	0
Superior Court jury trials	1 (Revenue cases are not tried to juries)
Arguments in Court of Appeals	2 (plus numerous personal restraint petitions)
Arguments in State Supreme Court	2 as an attorney(where I orally argued, numerous personal restraint petitions and several where I wrote the brief); countless in the last 6 years as a Justice
Federal District Court trials	1 (plus 17 on the pleadings)

What ratings and endorsements have you received?	
Municipal League	n/a (will interview in June)
King County Bar Association	Exceptionally Well Qualified
Washington Women Lawyers	Pending
Loren Miller Bar Association	Pending
QLAW: the GLBT Bar Association	Pending
Latina/Latino Bar Association	Pending
Joint Asian Judicial Evaluation Committee	Exceptionally Well Qualified

Which organizations and individuals have endorsed you in this race?
Please see my web site for full list. partial list here:
Washington State Labor Council
Washington State Council of Fire Fighters
Washington State Patrol Troopers Association
National Women's Political Caucus, Washington Chapter
Washington Federation of State Employees Council 28
Washington State Young Democrats
Spokane County Democrats
Governor Albert D. Rosellini (Ret.)

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Governor John D. Spellman (Ret.)
Justice Gerry L. Alexander
Justice Bobbe J. Bridge (Ret.)
Justice Tom Chambers
Justice (Ret) Richard P. Guy
Justice Faith Ireland (Ret.)
Justice Charles W. Johnson
Justice Barbara Madsen
Justice Susan J. Owens
Justice Vernon R. Pearson (Ret.)
Justice Charles Z. Smith (Ret.)
Justice Debra Stephens
Justice Robert F. Utter (Ret.)
Senator Ed Murray
City Council Member Tim Burgess
City Council Member Richard Conlin
City Council Member Jan Drago
Judge John M. Antosz
Judge Marlin J. Appelwick
Judge Paul A. Bastine (Ret.)
Judge Mary Kay Becker
Judge Daniel J. Berschauer
Judge John Bridges
Judge Stephen M. Brown
Judge Patrick R. Burns
Judge Greg P. Canova
Judge Mark C. Chow
Judge Howard J. Coleman
Judge Susan K. Cook
Judge Ronald E. Cox
Judge Franklin L. Dacca
Judge Sara B. Derr
Judge Deborah Dunham Fleck
Judge Stephen J. Dwyer
Judge Richard D. Eadie
Judge Anne Ellington
Judge Richard C. Fitterer
Judge C. Kenneth Grosse
Judge Judith M. Hightower
Judge Anne L. Hirsch
Judge Donald J. Horowitz (Ret.)
Judge Elaine Houghton
Judge J. Robin Hunt
Judge Kenneth Jorgensen
Judge Kevin M. Korsmo
Judge Linda Lau
Judge Anna M. Laurie
Judge J. Robert Leach
Judge Barbara L. Linde
Judge Dean S. Lum
Judge Douglas W. Luna
Judge Harry J. McCarthy
Judge Carol A. McRae
Judge Richard A. Melnick
Judge Kathleen D. Mix
Judge Alicia Harumi Nakata
Judge Kathleen M. O'Connor

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Judge Joel Penoyar
Judge Michael E. Schwab
Judge Karen G. Seinfeld
Judge Catherine D. Shaffer
Judge Mariane Spearman
Judge Michael Spearman
Judge Theodore Spearman
Judge Julie A. Spector
Judge Evan E. Sperline
Judge Dennis J. Sweeney
Judge Brooke S. Taylor
Judge Michael J. Trickey
Judge Richard B. White
Judge H Christopher Wickham
Judge Donna Wilson
Commissioner William H. Ellis Jr.
Commissioner Mary S. Neel
Commissioner Eric B. Schmidt
Commissioner Ernetta Skerlec

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

Justice Barbara Madsen, Justice Susan Owens, Chief Justice Gerry Alexander, Justice Tom Chambers, Justice Charles Johnson, Justice Debra Stephens, Judge Kevin Korsmo, Judge Mary Kay Becker, Judge Robin Hunt, Judge Joel Penoyar, Judge Christine Quinn-Britnall, Judge Mariane Spearman, Rebecca Graham, Regina Cahan.

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

no

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?

Appellate review now because I have served six years on the Washington State Supreme Court. As an assistant attorney general, it was revenue, transportation, criminal justice and personnel.

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

I recommend we continue the justice in jeopardy efforts to ensure sufficient funding for our trial courts, public defenders and civil representation of low and moderate income individuals. We do through this strategic thinking and planning, lobbying the legislature and educating the public. I currently serve as Chair of the Judicial Information Systems committee, which is working to ensure that technology enables cases to be

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handled efficiently so justice can be delivered timely. I also chair the Board of Judicial Administration's Public Trust and Confidence committee which has done and is doing a number of projects to enhance the public's trust and confidence, as well as jurors and users understanding of the court system.

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

See answer to question about hours and type of pro bono work performed.

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

Continued education, funding, and encouragement. Support of Access to Justice Board and Equal Justice Coalition's efforts.

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?

- Judicial Information Systems Committee, Chair, 2008 to present
- Board for Judicial Administration, Public Trust and Confidence Committee, Chair, 2003 to present
- Board for Judicial Administration, Court Security Committee, Member, 2007 to present
- Court liaison to WSBA's Council on Public Legal Education, 2003 to present
- Court Rules Committee, Member, 2003 to present
- Personnel Committee, Member, 2004 to present
- Court liaison to WSBA's Ethics 2003 Model Rules Committee, 2003 to 2004
- Court liaison to WSBA's Character and Fitness Standards Committee, 2004 to 2006
- Gender and Justice Commission, Member, 2001 to 2004

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.

I have reviewed the Practice of Law Board's (POLB) work and their proposal. The proposal is currently pending before the Supreme Court Rules Committee of which I am a member. The committee has decided to defer consideration to give the Washington State Bar Association (WSBA) the opportunity to receive input from its members and then respond to the court. I have not come to a conclusion on the proposal yet and am awaiting more information. I do recognize the issue as a complicated one. It is necessary in my opinion to have different options of providing representation to low and moderate income people and the Practice of Law Board (POLB) was tasked with making proposals. However, this proposal does not necessarily focus on low and moderate income people. And to insure the clients are receiving good representation, the POLB proposal suggests a system which is very like the WSBA system in place for lawyers so I am not sure in the long run, it will be any savings. There have also been raised anti-trust issues. If King County Democrats have a position on this issue, I encourage you to share it with the Supreme Court Rules Committee. Your thoughts can be addressed to the Rules Committee c/o the Supreme Court, PO Box 40929, Olympia, WA 98504. As it is a rules matter it is appropriate to speak directly with the justices about the rule and I would invite you to discuss your thought with me individually as well. My work number is (360) 357-2053.

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

no

How have you promoted diversity within your staff?

Yes. I have had diverse clerks and externs.

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?

My campaign message is to recognize the importance of experience, impartiality, and compassion. I plan to raise up to \$500,000 if necessary, although I am hoping to keep it closer to \$250,000 if the PAC's don't get involved in the race as they have done in years past. Doorbelling is not an option in this level of a race, so I am hoping for the support from the districts and to ask the democrats to carry my literature in their efforts. I will decide on mailings over the summer. I have hired Barbara Chadwick and NW Passage. I have raised nearly \$50,000.

I will win with your help. This will be a tough campaign if the PACs pour money into electing judges with an agenda, so I will need your endorsement and efforts to continue serving on the bench.

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

Printed Name	Mary Fairhurst	Date
Signature	Mary Fairhurst	5/13/08