

7/20/2009

PRESS RELEASE - BAR POLL

The Spokane County Bar Association (SCBA) is pleased to announce the results of its 2009 Bar Poll as well as the report of the SCBA Judicial Evaluation Panel. The poll was conducted for City of Spokane Municipal Court for one position. The candidates are:

**Department 1: Judge Tracy A. Staab
 Attorney Bryan P. Whitaker**

Participation in the SCBA's evaluation process is voluntary for each candidate and they share in the cost of the poll.

The evaluation has two components. A poll that rates each candidate in five key areas of judicial competency was submitted to the SCBA membership. In addition, an eleven (11) member panel appointed by the SCBA's President conducted an in-depth evaluation and interview of each candidate.

This year's Judicial Evaluation Panel Chair, James McPhee, states: "Our process provides a comprehensive evaluation of each candidate. The SCBA has combined the results of its membership poll with the legal experience of its members and two retired judges. The SCBA considers this evaluation to be a good process to make known its views on the qualifications of each candidate."

The Bar Poll is conducted for contested positions as a public service. The Bar Poll is prepared under the direction of Dr. David C. Brody of the criminal justice program of Washington State University, Spokane. The Bar Poll is a reflection of the personal views of individual members of the

SCBA based on their first-hand knowledge of the candidates. The poll does not represent an endorsement of any candidate.

The Bar Poll asks each SCBA member to rate five categories of character traits recognized by the legal profession as important to the qualifications of a judge. The categories are: legal ability, judicial temperament, integrity, legal experience and suitability. The rating is on a scale of 1 to 4 with 4 being exceptionally well qualified and a 1 being not qualified. If the member is without sufficient information, the response is “can’t rate.”

The 2009 Bar Poll was sent to the SCBA’s 921 voting members. There were 184 responses.

As a note of caution, in reviewing the results it is important to recognize that the results must be read considering both the rating and the percentage of responding members. For example, in the Bar Poll it is theoretically possible for an unknown candidate to receive a high rating of 4.0 from a handful of responding attorneys, while a candidate who receives many responses receives a rating of 3.2. It would be a mistake to judge the former as “doing better” on the Bar Poll than the latter.

In addition, an evaluation panel was also appointed. Its members were selected from prosecutors, defenders, civil plaintiff and defense lawyers, family law lawyers, law school professors, business lawyers and retired judges. This panel considered the candidates’ responses to a detailed questionnaire, examination of writing samples, and an approximate one-hour interview in conjunction with criteria recommended by the American Bar Association and recognized commentators. (The candidate’s response to the questionnaires may be reviewed on the SCBA website at

www.spokanebar.org.) This criteria includes but is not limited to the areas of impartiality, judicial temperament, diligent work ethic, ability to communicate, knowledge of the law and Bar Poll results, using rating categories of exceptionally qualified, well qualified, qualified and not qualified. The panel's evaluation is likewise published.

Questions can be directed to C. Matthew Andersen at 838-6131, to James McPhee at 455-9077 or to Penny Youde at 477-2665. The results of the Judicial Evaluation Panel and the Bar Poll are attached.

The 2009 SCBA City of Spokane Municipal Court Judicial Evaluation Panel Overall Evaluation

MUNICIPAL COURT DEPARTMENT 1

Tracy A. Staab: Well Qualified

Bryan P. Whitaker: Qualified

The 2009 City of Spokane Municipal Court Bar Poll Results

Note: The poll ratings are: 1=Not Qualified; 2=Qualified; 3=Well Qualified; and, 4=Exceptionally Well Qualified.

MUNICIPAL COURT DEPARTMENT 1

	Legal Ability	Judicial Temperament	Integrity	Relevant Legal Experience	Suitability for Position
Tracy A. Staab					
Rating	2.92	3.05	3.05	2.91	2.91
Responding	103	103	103	103	103
Can't Rate	81	81	81	81	81
Bryan P. Whitaker					
Rating	2.50	2.63	2.76	2.66	2.47
Responding	113	108	103	106	105
Can't rate	71	76	81	78	79