

King County Democrats 2010 Judicial Candidate Questionnaire

Candidate Name	Larry Mitchell
Position sought	King County District Court Judge, Position 7, Northeast Electoral District
Residence LD	45th
Are you the incumbent?	No
Campaign Information	
Campaign Name	Elect Larry Mitchell Judge
Web page	Pending
Campaign Email address	larry57297@yahoo.com
Manager	Jennifer Diggdon
Campaign mailing address	P.O. Box 23036, Seattle, WA 98102
Campaign phone number	425-753-1800
Campaign FAX	

Candidate Background: Community service, education, employment and other relevant experience.

Which undergraduate and law schools have you attended? Include Graduation date, degrees.

Bachelor of Science, Industrial Management, Georgia Institute of Technology (1975)

Juris Doctor, John Marshall Law School, Atlanta, GA (1979)

Hours and types of pro bono work performed.

Fifteen years as volunteer lawyer, Eastside Legal Assistance Program - 16 hrs/yr

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

Yes - City of Redmond, WA prosecuting attorney for 16 years

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

No

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

No

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How many times have you participated as a judge or attorney in:	
Municipal Court	zero
District Court	Thousands as prosecuting attorney - 16 years, in court 3-4 days per week
Superior Court jury trials	zero
Arguments in Court of Appeals	zero
Arguments in State Supreme Court	Three
Federal District Court trials	zero

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

Which organizations and individuals have endorsed you in this race?
Pending

Which judicial candidates have you endorsed in the past five years?
None

Have there ever been any successful claims made against you or your malpractice

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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.)

In the 1990s my office prosecuted a criminal defendant in several domestic violence cases. He was convicted and spent considerable time in jail. In 1996 he filed a grievance with the Washington State Bar Association (WSBA) against a fellow prosecutor and me. He claimed that I had acted to unjustly deny him the services of a public defender. WSBA investigated and dismissed the grievance, stating that neither my fellow prosecutor nor I had acted unethically.

What is your strongest area of legal expertise?

As a result of my extensive courtroom experience I am most knowledgeable in the areas of criminal law, criminal procedure, and traffic codes. I have conducted many trials and various other hearings and am proficient in the presentation of evidence and oral argument in court.

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

It is difficult to identify additional funding sources for the court system in the current economic climate. Both state and county government have had to make large cuts in spending to balance budgets in the last two years. It appears that an increase in property and/or sales tax rates in King County (under consideration by the County Council) coupled with more spending cuts are the only viable alternatives to avoid significant reductions in public safety and court services. Until the economy recovers it appears that the only practical goal is to try to maintain court services at current levels. In the area of administration the best choice to increase efficiency is technology. E-filing has worked well in King County Superior Court and is slowly being phased in in King County District Court beginning with traffic citations. When fully implemented it should greatly reduce the need for court staff to scan and index paper documents into the Electronic Court Records system thereby freeing staff to devote more time to operational matters. The Electronic

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Court Records system currently allows judges and court staff to access confidential documents on file in particular cases but does not permit attorneys access to those same confidential documents (typically police reports, treatment updates, or probation reports) even though the attorneys for the parties involved in a particular case may have filed or caused those many of those documents to be filed in the first place. It would speed up of court preparation by the attorneys if they could have access to those documents through the use of an assigned secure password for cases they are involved in. It would also eliminate the need for attorneys to contact court staff in advance to request access to or copies of the confidential documents needed to prepare for a hearing.

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

I have served as a volunteer lawyer for the Eastside Legal Assistance Program (ELAP) for the past 15 years advising economically disadvantaged persons on a variety of issues, mostly involving civil matters. These individuals would not otherwise be able to consult legal counsel if not for the access provided by ELAP. While some of them have complex problems beyond the scope of the services provided by ELAP most have relatively simple problems that they can handle themselves or by reference to attorneys who do pro bono work after consultation with an ELAP volunteer lawyer.

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

With respect to criminal matters every individual charged with a crime that could result in imprisonment upon conviction has a constitutional right to be represented by an attorney. A person who cannot afford a lawyer is entitled to have one appointed at public expense. There are mechanisms in place to provide funding for various public defense agencies and public defender attorneys provide a great service to their clients, often working with limited resources while carrying a heavy caseload. The greater need for access to the judicial system seems to lie on the civil side. Pro bono civil legal work for low-income persons by individual volunteer lawyers is a very valuable service but is not enough to meet the need. Organizations such as Columbia Legal Services provide free legal services to the poor dealing with housing, employment, consumer law, health, and education. Columbia is supported by grants and donations from mostly private individuals with some very limited help from government. Aside from encouraging volunteerism among attorney, organizations like Columbia Legal Services seem to offer the best hope for increasing access to justice for the poor. Efforts must be made to increase support for such

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organizations by government in the future. This is no easy task under current conditions but lawyers and non-lawyers alike must continue to lobby their representatives to keep the need to support initiatives that would increase funding for access to justice projects in the forefront.

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 am not a sitting judge. I would seek appointment to any committee that would help educate legislators on the need to adequately fund the court system and public safety providers as a means of keeping society civil. One need only look to the unrest that exists in other countries (Jamaica and Mexico, for example) to understand that the right of the people to be safe in their everyday lives can only be protected when all persons are held to account by a fully functioning legal system. Only the rule of law can safeguard the individual rights that provide the protection that citizens deserve. If the court system and public safety agencies are not adequately supported then the danger that citizens will not receive equal justice under the law increases. In that same vein I would like to serve on any committee that works to improve access to justice for all. The constitution and our democratic traditions demand that all persons be treated fairly, regardless of economic status.

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.

The Practice of Law Board's proposal to the Washington Supreme Court regarding the establishment of a Legal Technician Rule certainly has merit and I support the general concept. The idea behind the proposal is to allow a person certified and licensed as a Legal Technician to provide limited legal services to citizens in a specified area of the law (family law is proposed to be the first area of specialty) probably at a lower cost than would be available from a fully licensed attorney. If approved by the Supreme Court the Legal Technician Rule would likely increase access to justice for economically disadvantaged persons without the need for any substantial funding by state or local government. A Legal Technician would be free to offer services to the public not now available in the private sector and allow citizens to deal with their own legal issues with competent support.

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A Legal Technician could supply the necessary legal expertise that might be out of reach of a person who is unable to hire private counsel and cannot immediately secure the services of a pro bono legal aid organization.

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

I have not served as a guardian ad litem.

How have you promoted diversity within your staff?

I have been responsible for hiring staff in the City of Redmond prosecutor's office during my tenure as prosecuting attorney. During that time I have hired six deputy prosecutors and two paralegals. I have followed the non-discriminatory standard practices of my employer in advertising the availability of positions both internally and externally. While I have not given preference to any candidates using criteria not based on merit I did look beyond a candidate's experience and give serious consideration to persons based on my belief that they could perform the work competently after reviewing educational backgrounds and the quality of the application materials submitted. Of the six deputy prosecutors hired five have been female and one male while both paralegals employed have been female.

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 will treat people fairly and make decisions that respect individual rights and protect the community. I am a first time candidate so my campaign plan is still in flux. Generally speaking, I would like to raise \$25,000-\$50,00 (a little over \$1000 raised to date) to pay for the services of a campaign consultant, establish a website, recruit volunteers, print campaign literature and signs, meet the public, and mail campaign materials to voters near the time when King County mails out ballots. I will win because I have diverse and ongoing experience representing the people of Redmond in King County District Court and I will out work any opponent in making contact with the voters.

I have read this questionnaire and understand and approve the content and all

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provided information.		
Printed Name	Larry Mitchell	Date
Signature	Richard Lawrence Mitchell	2 June 2010