

## 2010 Candidate Questionnaire

### SECTION I

#### BASIC CANDIDATE INFORMATION

1. Name as it will appear on the ballot

First Name	Middle Initial or Nickname	Last Name
Judith	Raub	Eiler

2. Office sought (include office, jurisdiction, position/district number):

**King County District Judge, position #2, Southwest Division**

3. Are you the incumbent?             Yes         No

4. How long have you resided in this district/city?

**39 years**

5. How long have you resided in King County?

**62 years**

6. Is the office sought partisan or nonpartisan?     Partisan     Nonpartisan

7. If partisan, please indicate party:

#### CAMPAIGN CONTACTS

Campaign Name:            Re Elect Judge Eiler

Address:                      2317 Gary Ct.

City/State/Zip:            Milton, WA 98354

Campaign Phone:        253-315-2392

Campaign Fax:            n/a

Campaign E-mail:        reelectjudgeeiler@gmail.com

Campaign Website:      none, at this time

#### POLITICAL BACKGROUND

1. Beginning with the most recent position, please list public offices you have held. Include positions on appointive boards or commissions.

Public Office	Elective or Appointive?	Dates Held	Leadership Role (if any)
King County District Court Judge	elected	1992 to present	Executive Board 1993,1996,1999,2000 and 2002
Washington Traffic Safety Commission	appointed	1999 to present	

2. If you ran for public office but were not elected, please list those races below:

Office Title	Year of Run
n/a	

## SECTION II

In this section, we are seeking responses that reflect the four ratings criteria: involvement, effectiveness, character, and knowledge. These are defined as follows:

- **Involvement:** What has the candidate done previously in family, neighborhood, community, volunteer work, employment or public life to suggest readiness to accomplish challenging objectives? How do these activities demonstrate readiness for the challenges unique to the office sought?
- **Effectiveness:** Has the candidate demonstrated promise of being productive in the office sought? Has the candidate shown the ability to work with other people?
- **Character:** Do the candidate's personal traits show the ability to take on the responsibilities of campaigning for and holding the public office she or he is seeking? Is the candidate a leader, participant or observer? Is the candidate trustworthy, reliable and candid?
- **Knowledge:** Has the candidate demonstrated the willingness and ability to learn and adapt? Does the candidate understand the duties and challenges of the office sought? Does the candidate have a firm grasp of the issues important to his or her constituency and their potential effects?

1. In one page or less, why are you running for this office? (Note: the interview committee will be given a copy of this statement before your interview; at the beginning of your interview you will have the opportunity to expand on this statement in any way you wish.)

I have been a King County District Court Judge for 18 years. I have served as a member of the King Co. District Court Executive Committee which governs my Court, served on the Budget, Rules and Long Range Planning Committees several times and have been appointed to serve on a 3 judge panel to determine issues of county-wide importance and to the King County Master Plan for the District Court Task Force.

I have been assigned by the Presiding Judge to be the Chief Civil Judge of the South (Kent) Division, then for the East (Issaquah) Division and currently for the West (Seattle) Division of our Court. Only 3 Judges out of 25 serve as civil judges. As the sole participant in the pilot project for our Ex Parte department, I have successfully reduced the time it take to process Ex Parte matters from 3-6 months to a consistent level of 48 hours turn around from submission to return to the attorney/litigant, this process now brings into the County between \$500,000 to \$750,000 in fees for our Court. I am a hard worker in a high volume court. The civil filings have risen by 15% while the number of judges has remained constant. I regularly hear 50 motions on morning and afternoon calendars in addition to keeping up with the volume of 400 to 1000 Ex Parte matters per week. I have extensive experience in both civil and criminal matters and am described by the attorneys who appear before me as "tough but fair," "efficient and experienced" and "always prepared." Other judges describe me as being "on time and under budget." These qualities are not found in all of our judges. Few District Court Judges even want to handle civil cases and when assigned to do civil are slow, tentative and often unable to complete the work at the best practices level on a timely basis. I am a strong, experienced judge who manages an ever increasing caseload to meet the needs of the court. The civil cases are the primary cases where income is produced for the court and for the county. In each court that I have served, I have left it a better court, with the backlog caught up to date and the best practices procedures in place and all the work of the court completed correctly and within the best practices time frames. I want to continue to achieve a high degree of efficiency and expertise. I am rarely appealed and when I have been appealed I have a high rate of affirmations.

When assigned to criminal cases I am "tough but fair" with both the prosecution and the defense. I work to make convicted defendants accountable for their actions and the public safe while working within the Constitution and laws of the State of Washington. I expect the prosecution to be well prepared and ready for trial. I expect the defense to be well prepared to defend their case and to protect the rights of the accused. I run a no nonsense courtroom.

I am running for another term so that my experience and work ethic can be used to bring the pilot project to all 3 divisions and insure a steady, reliable revenue stream to the court. The public deserves to have an experienced judge who wants to hear civil cases on the court and is experienced in hearing criminal matters, as well.

2. Describe your most important personal characteristics or traits as they relate to the office you seek.

1. Experience and Knowledge of the Law: I have served for 18 years as a King County District Court Judge. During my first 10 years I always handled some civil cases, but for the last 8 years I have done exclusively civil matters. For the 10 years prior to my first election to the bench I was an attorney in civil practice. Most of the current judges on the District Court Bench come from either the prosecutor's office or the criminal defense area. They do not have the depth of experience or the desire to accept a long term rotation to hear civil cases. I am willing and experienced to continue to serve the court in civil matters. I am also experienced in criminal matters as for 10 years I heard primarily criminal matters with some civil cases scheduled during the month.

A King County District Court Judge must be a multi-talented, multi-tasking person. We may be assigned anywhere in the county (even though we are elected in geographic districts). A judge must be able to hear and decide domestic violence cases in our DV specialty court or as part of the general calendar in one of the 14 city courts who contract with the county. A judge must know all of the traffic infractions for the State, the county and any municipalities we serve. A judge must be able to hear and decide small claims (civil cases under \$5,000) and civil cases up to \$75,000. A judge must be able to hear and decide criminal cases involving misdemeanors (cases with \$1,000 fine and 90 days jail as a maximum) and gross misdemeanors (cases with \$5,000 fine and 365 days in jail as a maximum). A judge must be able to do name changes, temporary hearings and permanent order hearings on anti-harassment and protection order. A judge must know the civil court rules, the criminal rules and procedures and the rules of evidence completely. A judge must be knowledgeable about the rules and conditions for sentencing convicted defendants and know the standards for reviews of defendants who have been sentenced, but who have violated the terms of the sentence. A judge must be able to hear and decide pre and post trial motions as well as preside over jury trial in both the civil and criminal venues. The judge must also be able to hear and decide in trials where there is no jury. Civil judge must review and sign dismissals, default judgments, supplemental procedure requests, judgments on answer from garnishments and continuances. In King County these reviews can range from 400 to 1000 item in addition to the regular judicial assignment.

2. Strength: It is very difficult to decide 40 to 50 cases in the morning and a similar number in the afternoon. Finding against one side and for another is very hard to do. Our natural instinct is to try to find a middle ground where you can try to make everyone feel good about the outcome. A judge's job is, in common parlance, to call strikes and balls, there are no partial strikes or a "sort of" ball. By its nature one side must leave with a loss. It is demanding work. Like most of us, judges want to be liked. But if a judge succumbs to the lure of kinder, gentler decision-making, all of the cases before them are watered down decisions meant not to decide, but rather to keep peace in hopes of having the approbation of the litigants and the attorneys. I am not one of those judges. I make the hard decisions and have the strength to know that being liked is not the same as accurately calling strikes and balls. The umpire is not your friend she is not here to be liked, but rather to "call them as she sees them." I am that kind of judge.

3. Hardworking: A judge doing civil work in the King County District Court must be willing to do an extraordinary amount of work beyond the usual courtroom work. We have a best practices amount of work set by the Presiding Judge's Office for in-court work which is expected of each judge for full-time work. However, in addition to the in-court work civil judges are expected to do the Ex Parte civil filings for orders that come by mail or are presented to the clerk's office for review and signing by the civil judges. This work averages between 400 and 1000 reviews per week. Under the best practices

standards a judge is expected to review and sign 100 Ex Parte matters per day. If a judge is to keep up with the in-coming work load, in addition to the in-court work a civil judge also does between 4 and 10 days extra work, in chambers for each week of work. Many judges just can't keep up, which is why the civil cases have had a 3 to 6 month backlog of uncompleted work. A judge must be efficient and willing to work effectively in the courtroom to have time to keep up with the enormous amount of paperwork flow that never ceases or slows down. I have been effective and efficient at each court I have served at and have kept the Ex Parte work up-to-date after bringing the backlog up to currency.

3. Please describe, in sufficient detail, one to three accomplishments or contributions of which you are most proud. These examples should illustrate skills and capabilities you think apply to the office you are seeking. These accomplishments may have occurred at any time in your personal, professional, or public life.

From 2004 – 2007, I was named jointly by the National Highway Traffic Safety Administration (NHTSA) and the American Bar Association (ABA) as a Judicial Outreach Liaison (JOL). NHTSA and the ABA engaged in a national search and named 4 JOLs. I worked in the States of Washington, Oregon, Idaho and Alaska on a judge-to-judge, court-to-court basis helping to establish DUI/Drug Courts. I worked on weekends and on my vacation time so that I did not have to take time off from my assigned work with the District Court. I worked on a national and state level to bring courts as large as Multnomah County, Oregon, Anchorage, Alaska and Spokane, Washington and as small as Clallam County, Washington and in Bethel, Alaska. I was renewed annually through 2007. It was rewarding and a welcome change from calling balls and strikes to working within the justice system in a collaborative method with the judiciary, prosecutors, defense, probation and treatment services to produce healthy, drug/alcohol free citizens for our communities. Therapeutic Courts are not our mainstream, everyday courts. But, they do produce quantitative results with a hardcore population.

2. In 1984 I joined with a group of other women in establishing the Federal Way Women's Network (FWWN). At the time the Rotary, Kiwanis and other men's only clubs excluded women from business networking. Because of this exclusion a group of us decided to help the women in Federal Way. We picked a date, made arrangements with a hotel for meeting space at our own expense. We then sent out invitations to every woman we knew in the community. We thought we would be lucky to get 20 – 30 to attend our formational meeting. One Hundred and Fifty showed up! The organization flourished and grew to over 300 members. Our quarterly speakers ranged from Mary Gates, U of W Reagent to women whose businesses grew to be cover stories on *Money* magazine. I served as President in 1990 and sat on the Board of Directors for 13 years. By 1997 virtually all the men's only clubs accepted women members, the Chamber of Commerce was headed by a woman president, all 3 of our state elected officials were women and when Federal Way became a city in 1990 over half of the council members were women including the position of first mayor, and all of these women were members of the FWWN. Women and men who wanted to be elected to office came to our meetings. We drew more attendees to our meetings than the combined attendance of the Chamber of Commerce, the Rotary (both the morning and noon clubs) and the Lions clubs in Federal Way. In 1999 the Board and membership decided our work was done and we joyfully disbanded the Network sending our members out to other community organizations. I am proud of my participation in this grassroots movement for and by women.

3. I have been honored by Seattle University School of Law to teach as an adjunct professor of law two evenings a week during the Spring Semester. I teach Remedies. This class teaches law students the kinds of outcomes that the law will allow for injuries to people, personal property and real estate, as well as, injunctions which prohibit behaviors or require actions to be done. This is a civil upper division trial elective. My first year teaching this class I divided the class up into teams with the assignment of a collaborative effort to teach the class segments of a chapter in the textbook. Grades were both individual and for the group effort. My students were terrific. One of the groups did "Injunction Jeopardy" with a power point production matching the popular TV show, and prizes for the winners. Some of the groups gave power point programs with pop quizzes and group discussions with their class mates. Even though other traditional professors didn't think this would

work, I wanted to push the envelope inside the traditional law school classroom and use some creative teaching techniques. When I got my student reviews back from the students after the class was over, 51% thought it was one of the best classes they had taken in law school. They liked the on-your-feet feel of learning and being creative. The remainder didn't like it at all. They didn't like doing presentations or teaching. They didn't like having part of their grade dependant on the others in their group and thought that the professor should teach all the classes all the time. There were no middle ground reviews, they either loved it or hated it. The following year I limited the students-as-teachers to only those who volunteered and then only for a limited number of slots so that those students who wanted to be on-their-feet would have the opportunity to teach and participate in learning in a collaborative and active manner. This time 90% of the reviews were rated as a 9 or 10 out of 10. I have continued to use the modified approach with excellent results. I really enjoy teaching this class. I use anecdotes from my courtroom and give insights as to courtroom practices that are successful and those that are not. In my last class, a student who had a philosophical difference with me still rated me in the 90% approval rating saying "*viva l'difference!*" This is high praise even from someone who disagrees with me. I enjoy seeing new young lawyers-to-be learning and developing.

4. Please list or describe current and past activities in the community in which you have acquired skills that relate to the office you seek. Include your role in the activity and the year(s) in which you were involved. Involvement consists of many areas such as family, neighborhood, community, employment, or public life

1. Church: I have been a member of Saint Vincent de Paul Parish in Federal Way for over 30 years. For nearly 20 of those years I have been a lector reading the Bible readings during the Mass on my assigned Sundays. Reading is a form of interpretation. The same work spoken by two lectors will not be "heard" in exactly the same way. It is the lector's responsibility to make sure that the interpretation upholds the plain sense of the text, the author's intent and make the text "speak" to everyone in the congregation. The skills acquired by this activity have a direct influence, especially useful, in reading jury instructions to the jurors. The text of instructions is not in plain English and is often laborious and, frankly, boring. My responsibility is to make it come alive for the jurors so that they hear and understand the law before they deliberate.

2. Local, County and State Bar Associations: I have been a leader in the South King County Bar Association (SKCBA), the King County Bar Association (KCBA) and in the Washington State Bar Association (WSBA). In SKCBA I have held every office, Secretary, 1995 - 98, Treasurer, 1984 - 87, Vice President, 1985 -86 and President 1986 - 87 and Board of Trustee's member, 1984- 1987 and 1993 - 95. In the KCBA I was elected as a Trustee 1988 - 92 from South King County before there was a designated seat to insure that non-downtown attorneys had a say in the governance of the Association. I was also the liaison to the WSBA for 3 years 1988 - 92 and served on the judicial evaluation committee, 1988 - 90.

I have served on task forces for the WSBA at the pleasure of the president of the WSBA and have represented the District and Municipal Court Judge's Association to Board of Trustees for 7 years as their liaison to the WSBA. I have been a leader for my local Bar, the County Bar and with the State Bar. Leadership roles have allowed me to be a part of the process of changing the Bar for the better. In 1990 I led the effort to get the WSBA and the Supreme Court to change the rules for Mandatory Continuing Legal Education (MCLE) to allow for learning by audio and video presentations. Lawyers in the larger metro areas have an embarrassment of riches in Continuing Legal Education classes available for them, but our lawyers from small counties and cities had a huge cost burden to meet the requirements by traveling to other cities, often over night, to get the same credits downtown Seattle attorneys could get during the day, with access to their offices at noon and after the seminar. My proposal was opposed by the chair of the MCLE Board and barely passed by the WSBA Board, but it was embraced by the Supreme Court. From audio tapes and video tapes this rule has now encompassed modern

"web-inars," long distance learning projects and inter-active learning across the state. I am a lawyer and a judge, but underneath it all I am an educator.

3. Judicial Associations: During my terms on the bench I have been active in the District and Municipal Court Judge's Association (DMCJA) and the ABA judicial division. I have served on the DMCJA Board of Trustees

(1994 - 95). I have been the Chair of the Education Committee (1997 - 98) and served as the Co-Dean (with a Superior Court Judge) of the in-state Judicial College for training our new judges. I have served in numerous capacities on committees (Budget 2006 - 09, Rules 1995, 1999 – 2001, 2005-06, 2009 - present and King County Master Plan Task Force 1996 for the King County District Court, as well as a member of governance, the Executive Committee (1993, 1996, 1999, 2000 and 2002). I am an elected representative at the National Level in the Judicial Conference Board (2007 – to present) for specialty courts (which include district, municipal, traffic, tax and probate courts.) I teach nationally at the National Judicial College (2006) in Nevada and teach at national seminars with the Judicial Division. The knowledge I have learned from other judges, across the nation, I bring back to the judges of the State of Washington.

5. Please describe the duties of the office you seek. Which are the most important duties and why?

A King County District Court Judge must be a multi-talented, multi-tasking person. We may be assigned anywhere in the county (even though we are elected in geographic districts). A judge must be able to hear and decide domestic violence cases in our DV specialty court or as part of the general calendar in one of the 14 city courts who contract with the county. A judge must know all of the traffic infractions for the State, the county and any municipalities we serve. A judge must be able to hear and decide small claims (civil cases under \$5,000) and civil cases up to \$75,000. A judge must be able to hear and decide criminal cases involving misdemeanors (cases with \$1,000 fine and 90 days jail as a maximum) and gross misdemeanors (cases with \$5,000 fine and 365 days in jail as a maximum). A judge must be able to do name changes, temporary hearings and permanent order hearings on anti-harassment and protection order. A judge must know the civil court rules, the criminal rules and procedures and the rules of evidence completely. A judge must be knowledgeable about the rules and conditions for sentencing convicted defendants and know the standards for reviews of defendants who have been sentenced, but who have violated the terms of the sentence. A judge must be able to hear and decide pre and post trial motions as well as preside over jury trial in both the civil and criminal venues. The judge must also be able to hear and decide in trials where there is no jury. Civil judge must review and sign dismissals, default judgments, supplemental procedure requests, judgments on answer from garnishments and continuances. In King County these reviews can range from 400 to 1000 item in addition to the regular judicial assignment.

All criminal cases are important. Virtually all of the criminal work have attorneys representing both the State and the defendant to assist the judge and see that justice is done. In the civil venue many cases have an attorney on only one side or none at all. This is the most difficult and important area for a judge. The State law, case law, civil rules of procedure and the code of judicial conduct do not allow a judge to treat a pro se litigant (a person without a lawyer representing them) any differently than if they were a lawyer. Pro se litigants often mistakenly believe that the judge will be their advocate or will protect them from an attorney who knows the law and the court rules. An analogy useful here would be the umpire at a baseball game. You would never see, nor expect to see, the umpire give the batter a quick lesson on how to hit this pitcher's throws or to admonish the pitcher from throwing too fast or too hard for the inexperienced batter. The judge must be the judge and not the friend of the pro se. This is extremely hard to do. Many judges just can't resist helping. This helping (even a little bit) ethically moves the judge from independent, objective decision-maker to a collaborator with one side and against the other side. It is important, in my opinion, to be a strong, independent decision-maker.