

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
Michael	J.	Finkle

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

King County District Court Judge, Northeast Electoral District, Position 6

3. Are you the incumbent? Yes No

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

Since February 1990

5. How long have you resided in King County?

Since February 1990

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

7. If partisan, please indicate party:

CAMPAIGN CONTACTS

Campaign Name: **Committee to Retain Judge Michael Finkle**

Address: **P.O. Box 3518**

City/State/Zip: **Redmond, WA 98073-3518**

Campaign Phone: **425-516-8184**

Campaign Fax: **N/A**

Campaign E-mail: **retainjudgemichaelfinkle@gmail.com**

Campaign Website: **www.retainjudgefinkle.com**

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)
None			

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

Office Title	Year of Run
King County Superior Court	2000

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?
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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.)

First and foremost, I want to continue to be part of some amazing developments in the judicial system. Therapeutic courts, especially mental health courts, are on the cutting edge of criminal justice. They focus on true rehabilitation rather than on the traditional "I win-you lose" adversarial mode.

I have loved every minute of my work with therapeutic justice the past 11 years as an attorney. I want to continue my pioneering work in that area. There is a dearth of judges who are even willing to learn about therapeutic justice, and even fewer who understand it.

I would love to continue my work in that area, and to continue to serve as a judge who does understand therapeutic justice.

Second, I want to be the one to make the crucial decisions that judges must make. A judge makes literally hundreds of decisions each day. Most of them do not materially impact people's lives. Judges are selected for their ability and their willingness to make those more difficult decisions. Some have the former, some have the latter, and a very few have both. I believe I have both.

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

If you ask the average person on the street to tell you the first word that comes to mind in response to the word “judge”, the most common response is likely to be “wisdom”. People who possess wisdom can be trusted to make difficult but decisions that take into account the realities of the situation and include good old fashioned common sense. Their decisions show compassion for all parties, whether the ruling be severe or lenient for the parties involved. Their decisions are shaped by all they have accomplished throughout their careers on the bench and in their prior practice of the law.

1. Academic and Emotional Intelligence.

As for academic intelligence, I have many of the traditional legal accomplishments.

For example, I earned my BBA from Loyola Marymount University, I was named outstanding student in the general school of business

I hold my JD degree from UC:LA School of Law, a nationally prominent law school;. I became a member of the Law Review staff, which is considered quite an accomplishment, and ultimately joined the board of editors as a managing editor. Board membership on a major law review is an extremely rare occurrence.

Nine years after obtaining my law degree I earned an MBA from Seattle University School of Law.

I taught trial advocacy for 10 years for the Washington State Bar Association, receive a special recognition award for my efforts. From 1998 to the present time I have taught as an Adjunct Professor of Law at Seattle University of Law, I have educated approximately 45—475 students and attorneys over the years.

As to emotional intelligence, I embrace the concept that life is a continuing process, and that one must never stop examining one’s own motives, potential biases and flaws, as well as one’s skills and accomplishments. I recognize that people and circumstances change that what motivates one may not motivate another; indeed, it may have the opposite impact.

One of my personal mantras comes from Maya Angelou: “I did the best I could. When I knew better, I did better.” I apply those words to my own conduct as a person and as a judge. I also apply them to those who appear before me, whether as attorneys, witnesses, victims or defendants.

2. Compassion.

If I could choose one single character trait I should set a judge apart from any other occupation, it would be compassion. Compassion can be developed, but it cannot be “learned” in an academic sense.

For the past 12 years I have devoted my time and energy to improving the law and to developing alternatives to jail for mentally ill persons who come into contact with the criminal justice system. The mentally ill within the criminal justice system, best described as society’s lost souls, are one of the most “invisible” groups of people within society. Until recently they have had virtually no advocacy for their plight within the criminal justice system. They were churned through the criminal justice system without being noticed.

In 1998 I took part of the Task Force that recommended creating mental health courts within the criminal justice system. I played a strong role in creating Seattle Municipal Mental Health Court in March of 1999. It was the fourth MHC in the Country and the first municipal MHC. From March 1999 until I took the bench in March of 2010 I supervised my office’s participation in that court.

I have also developed a national reputation in the area of competency to stand trial laws, from both a legal and a procedural perspective. I have published nationally and regionally, and have given presentations nationally as well as in Canada. Most recently, (*i.e.*, May 20, 2010), the National Judicial College has asked me to join in their effort to create a national “best practices” model for handling criminal competency issues.

I have taught as an Adjunct Professor of Law at Seattle University School of Law since 1998. For the past 4 years I have taught exclusively a course entitled “Law, Policy & Mental Health”, in which I explore the issues I have held so close the past 12 years. That course is a prerequisite for a “Mental Health Court Clinic” that my friend and former adversary from Seattle MHC created. His clinic is the first of its kind in the country.

3. Experience

I spent the first four years of my career in private practice as a civil lawyer. For the past 24 years I have served as a government lawyer, 4 with the Los Angeles City Attorney’s Office and 20 with the Seattle City Attorney’s Office.

In addition to my teaching experience described above, I have given solo, joint or panel presentations over 80 times, on mental health, trial, domestic violence and general legal issues. I estimate that at least 3,000 people have seen me present, ranging from judges to attorneys to the general public to law enforcement to mental health professionals. Those presentations have taken place over an 18-year period.

I have also published mental health-related articles in a nationally prominent journal (*Behavioral Sciences and the Law*), a regional law journal (*Seattle Journal for Social Justice*), and chapter in an online journal (*Washington Health Law Manual*, 3rd ed.). I have served as a co-editor and contributing author on an ethics primer for government lawyers (published by Washington State Association of Municipal Attorneys), and for a chapter in a practice guide (*Washington Lawyers Practice Manual* by the King County Bar Association).

My legal experience and accomplishments have garnered three special awards. Chronologically:

1997: Washington State Bar Association special recognition for contributions to development of young attorneys through the WSBA’s Trial Advocacy Program.

2000: Washington State Association of Municipal Attorneys (WSAMA) President; 500+ members

2003: WSAMA—among group of recipients of inaugural “Outstanding Service Award.

2010: WSAMA Ernest H. Campbell Award for sustained excellence in the practice of municipal law (equivalent to a lifetime achievement award).

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.

I have discussed the areas above in great detail. I will list those areas again here, and will add only what I did not include in question 2.

1. Mental Health Issues. Please see above. One additional accomplishment is a Competency Guide that I started as an internal office memo. The Guide grew in size and sophistication to the point that it is relied upon by judges, prosecutors and defense attorneys across the state for mental competency issues that arise in district and municipal courts. I have updated the Guide every 12-18 months, and will continue to do so as a judge.

2. Washington State Association of Municipal Attorneys (WSAMA).

WSAMA's members, totaling more than 500, represent cities either civilly or as prosecutors. It does not engage in any lobbying activities; its goal is educational only. I attended my first semi-annual conferences in October 1990. Since that time I have missed approximately 6 meetings. I have given more conference presentations than anyone in WSAMA history. In 1991 I joined the committee that plans the criminal topics portion of the semi-annual conferences. In 1993 chaired the committee and continued to do so until I took the bench in March 2010.

I served on the WSAMA Board for approximately 4 years, and as the Y2K president. In 2003 WSAMA created an "Outstanding Service Award", which it conferred upon a group of approximately five "inaugural" recipients. I was one of that group. In 2010 I received the Campbell Award. There are only 16 people who have received that award. I am the only one who was a full time prosecutor. In 1998 I served as a co-editor and contributing author on an Ethics Primer for Government Lawyers that WSAMA published. In 2009 WSAMA updated the Primer. Until I joined the bench I worked on revising my original portion.

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. Participated in "Beat the Bridge to Beat Juvenile Diabetes" walk (2010). As of date of the event, the team I walked with had raised the most money of any non-corporate team.
 2. Coached Seattle University School of Law mock trial team in regional competition (2010).
 3. Volunteered as part of several political campaigns between 1996 and 2000; served as precinct committee officer for political party (2008-2010). Per Judicial Canons, I am prohibited from identifying the particular party or parties involved.
 4. Volunteered with merchandise sale at daughter's middle school (2009-present).
 5. Served as Room Rep in daughter's class at elementary school (2007-2008)
 6. Served as Treasurer in Parent Association at daughter's elementary school (2005-2007).
 7. Helped create, and served on, Public Safety Committee for homeowner's association in my neighborhood (1997-2002).
 8. Circulated petitions and information sheets throughout neighborhood regarding various political and other public interest issues (1992-1999);
 9. Testified at County Council hearings on behalf of neighbors regarding proposed land use actions (approx 1993).
 10. Played Santa Claus for Kris Kringle visits for neighborhood families (1992-1999)
 11. Worked on efforts to incorporate City of Sammamish (1995 and 1997).

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

King County District Court Judges are responsible for:

- Civil litigation matters up to \$75,000
- Small claims matters up to \$5,000
- Nuisance violations
- False alarm hearings
- Vehicle tow and impound hearings
- Anti-harassment orders
- Domestic violence protection orders
- Name changes
- Infractions (traffic, non-traffic and parking)
- Misdemeanor and gross misdemeanor criminal cases
- Felony expedited cases
- Felony preliminary hearings
- Search warrants
- Garnishments and other supplemental proceedings
- Lien foreclosure and forfeiture hearings
- Death inquests

The glib answer would be "they are all important". But the fact of the matter is that the criminal-justice related duties are the most important. All criminal cases carry the potential for incarceration. Loss of liberty is the harshest sanction the government can impose on an individual. A judge must insure that due process is met, but must also consider public safety and the impact on any victim(s). If the defendant is found guilty or pleads

guilty, the judge must fashion a sentence that considers three factors: protecting public safety, maximizing likelihood the defendant will offend further, and taking into consideration the impact of the incident and the sentence upon the victim.