

# King County Democrats

## 2018 Candidate Questionnaire

### Judicial Level

<b>Candidate Name</b>	Judge Beth M. Andrus	
<b>Position Sought</b>	Court of Appeals, Division One, Pos. 4	
Home County and Legislative District	King, Legislative District 36	
<b>Campaign Contact Information</b>	Mailing address: Committee to Elect Judge Andrus PO Box 20776 Seattle, WA 98102	Phone: 425-466-0619 Fax:
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Campaign manager or point of contact		
Consultant(s)	Mary Ann Ottinger – 425-466-0619	

### Part I – Candidate Background

Please briefly describe your qualifications, education, employment, community and civic activity, past union affiliation, and other relevant experience. Attach a resume with more complete history.

**Qualifications:** I practiced law for 21 years, handling appellate, employment, commercial, construction, and intellectual property cases. I was appointed to the King County Superior Court in 2010 by Gov. Christine Gregoire. I have presided over a wide variety of civil, criminal, family, child welfare, and civil commitment cases in the last 8 years. I have held leadership positions at the court, including Assistant Presiding Judge, Chief Civil Judge, and a member of the court's Executive Committee.

**Education:** B.A., French and Speech Communications/Public Relations, Wayne State University (1985); J.D., University of Minnesota (1988); Masters of Judicial Studies, University of Nevada, Reno (2016).

**Employment:** Schweppe, Krug & Tausend (1989); Miller Nash (1990 – 1995); Skellenger Bender P.S. (1995 – 2010); King County Superior Court (2010 to present).

**Community & Civic Activity:** American Civil Liberties Union of Washington, President (1997 – 2002), 2<sup>nd</sup> Vice President (1996 – 1997); 1<sup>st</sup> Vice President (1994 – 1996); Secretary (1993 – 1994); and member of Board of Directors (1992 – 2005). William L. Dwyer Inn of Court, President (2016 – 2017).

**Other Relevant Experience:** I worked in a private psychiatric hospital as a mental health worker during college (1982 – 1985).

A resume is attached.

Describe your history of involvement in Washington state politics. What offices have you previously sought election or appointment to? What campaigns have you worked on?

I was appointed to the King County Superior Court bench in July 2010. I filed for retention of this position in August 2010 and campaigned from the date of my appointment until the close of the filing period. I did not have an opponent and was deemed elected. In 2012 and again in 2016, I ran to retain my judicial seat but drew no opponent and was deemed elected and the end of each filing period. I have not sought any other elected positions and have worked on no political campaigns.

What prompted you to run for this office?

I believe that the breadth and depth of my legal and judicial experience would allow me to make a valuable contribution to our appellate court system. In addition to this experience, I bring a strong commitment to judicial independence and belief in the rule of law.

Describe the progress of your campaign so far. What kind of reception is your campaign getting? Are you running unopposed, or do you have an opponent? How will your campaign appeal to the voters?

I was appointed by Gov. Jay Inslee to fill the seat being vacated by Judge Ron Cox on May 4, 2018. In the short period of time since my appointment, I have retained a campaign consultant, have solicited endorsements from members of the judiciary, attorneys, elected officials, and community leaders. I do not yet know if I will be running unopposed or will have an opponent. No one has yet indicated an intent to run against me for this position. My campaign will appeal to voters by focusing on my experience, independence, and integrity.

Please answer the following questions.		Yes*	No
1	Have you ever failed to pay any taxes or court ordered judgments?		X
2	Have you ever been found in violation of a Public Disclosure Commission, Federal Election Commission or Seattle Ethics and Elections Commission regulation?		X

\* If you answered "Yes" to either of the above, please explain your answer:

## Part II – Ratings and endorsements

What endorsements and ratings from bar associations have you received to date?

Bar Association ratings:	Washington State Bar Association: Qualified Cardozo Bar Association: Exceptionally Well Qualified Joint Asian Bar Association: Exceptionally Well Qualified Latino/a Bar Association: Exceptionally Well Qualified Loren Miller Bar Association: Exceptionally Well Qualified QLAW: Exceptionally Well Qualified Veterans Bar Association: Qualified
Endorsements:	See attached endorsement list. Note that I was just appointed by the Governor on May 4, 2018, so my endorsement list is still in its fledgling stages, although we are pursuing it aggressively.

If you have previously sought elected office, what notable endorsements did you receive?

In 2010, I was endorsed by Senator Adam Kline, then Representative Jamie Pederson, Seattle City Attorney Pete Holmes, and over 30 judges on the King County Superior Court.

What other organizations are you planning to ask for an endorsement?

National Women's Political Caucus of Washington  
Martin Luther King Jr. County Labor Council, AFL-CIO

### **Part III – Legal experience, technology, and court costs**

Please describe your pro bono activities over the last five years.

As a sitting judge, I am prohibited from engaging in the practice of law, even on a pro bono basis. However, before taking the bench, I did extensive pro bono work for the ACLU of Washington in death penalty, first amendment, and reproductive rights cases. Since taking the bench, I have been an active member of mentor programs for law students and new attorneys through the William L. Dwyer Inn of Court and the ABA's Judicial Intern Opportunity Program for minority law students.

What law firms or public law offices (i.e. King County Prosecutor's Office) have you worked for? Have you served as a prosecutor or a public defender? Please include dates, and title for each position that you have held, as well as areas of law practiced.

I worked for the following law firms while in private practice:  
Schweppe, Krug & Tausend (summer of 1988, fall of 1989)  
Miller Nash (1990 – 1995)  
Skellenger Bender (1995 – 2010)

I did not work as a prosecutor or public defender. However, while in private practice, I did represent individuals accused of crimes in appellate courts through the Washington Supreme Court's List of Qualified Counsel for Death Penalty Appeals and the Federal Public Defender's Criminal Justice Act panel of conflict counsel.

Have you ever served as a mediator or arbitrator? (If so, please describe your experiences.)

Yes. I was a King County Superior Court arbitrator through the court's Mandatory Arbitration Rule program and arbitrated approximately 10 cases. I was also a Rule 39.1 mediator with the United States District Court for the Western District of Washington. I was also on the American Arbitration Association's mediator and arbitrator list for complex and construction cases.

What do you believe are the most important qualifications for a judge or justice?

The qualities I consider the most important in a person holding judicial office are:

- (a) intellectual curiosity and capacity;
- (b) a depth and breadth of legal experience;
- (c) confidence in one's judicial skills tempered by a sense of humility;
- (d) the ability to manage a large caseload and to issue decisions in a timely manner;
- (e) compassion for individuals appearing before her; and
- (f) a commitment to access to justice.

As a judge, I have aspired to develop each of these qualities

Have you been a judge pro-tem? If so, what was that experience like? What did you learn from it? Have you completed the pro-tem training in King County? For which judges do you regularly pro-tem?

No.

Do you support making it easier for Washingtonians who are not members of the bar to access public

records, particularly at the Superior/District court levels, where per-page fees are charged?

Yes.

Do you have any thoughts on how our courts should address the growing use of smartphones during court proceedings, particularly by jurors?

GR 16 governs the use of cameras and recording devices by non-jurors in courtrooms. This rule authorizes the use of such equipment with the judge's express permission. The use cannot distract from the proceedings and the judge may impose reasonable conditions on their use, such as a prohibition on taking pictures of or video-recording the jurors. *See*

[https://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.display&group=ga&set=gr&ruleid=qagr16](https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=gr&ruleid=qagr16).

Jurors are instructed that once empaneled on a case, they may not use smartphones to research people involved in the case, or issues or incidents they learn about through testimony. Juror are also instructed that they may not use any electronic device during deliberations.

I support GR 16 and the restrictions the courts have placed on juror use of smartphones during trials.

Is Washington relying too much on court fees to cover the cost of operating our judicial system? How do you believe our courts should be funded?

Access to courts is an important right of all people. It is the legislature's responsibility to ensure that courts are adequately funded. I have served on the King County Superior Court Budget Committee and Executive Committee for many years and am acutely aware of the constant pressure to cut our budgets. We attempt to provide important services to litigants, such as Family Court Services, to help them through the court process. But we have insufficient funding from King County and Washington state to guarantee these services to court users. The court has imposed court fees to cover some of the costs of operating as a result of this lack of adequate funding. The judges, however, have a liberal fee waiver policy so that any person who is unable to afford the fees may nevertheless have access to them.

## Part IV – Access to justice

If elected, how will you work to improve access to justice, particularly for communities and constituencies that do not understand the American legal system?

Since taking the bench, I have worked to ensure that the justice system is fair and open and accessible to all. I have attended training sessions on procedural fairness to develop the judicial skills needed to help litigants navigate the court system and understand the outcomes. I have worked on improving systems in the court to eliminate physical and language barriers for self-represented litigants. I spearheaded a project at the Involuntary Treatment Act Court to develop a protocol for video hearings to mitigate the difficulties psychiatric patients had in traveling to the court for their civil commitment hearings. I have worked with judicial leaders to develop a judicial orientation program for newly appointed and elected judges to ensure the delivery of justice in a prompt, understandable and cost-effective manner to all parties who appear before the court, including self-represented litigants, without sacrificing due process. I commit to continuing these activities at the court of appeals.

What does the phrase *Black Lives Matter* mean to you as a judicial candidate?

This movement seeks to draw attention to and oppose violence and systemic racism toward black people. The judges on the King County Superior Court have acknowledged they play a role in perpetuating such systemic racism and have sought to examine all policies and procedures through an equity lens to try to root it out at the court. Some examples include: the creation of an "equity and social justice advocate" at

the Juvenile Court; revisions to the Risk Assessment Tool used by the court in making juvenile detention/release decisions to reduce racial disproportionality; establishing diversion programs for youth accused of domestic violence to avoid their being booked into the Youth Detention Facility; and mandating judicial implicit bias training.

What do you see are the legal issues in the #timesup and #metoo movements?

Both men and women have been the victims of sexual assault and sexual harassment but have felt intimidated or too vulnerable to report the criminal or illegal behavior of people perceived as more powerful than they are – whether colleagues, supervisors, or intimate partners. Often, the victims are blamed or their credibility is challenged when they do report assaults or harassment. There is a significant need for individuals – both victims and alleged perpetrators – to have access to legal representation to ensure that their legal rights are protected. There have also been decades of tolerance of sexual harassment by many employers. Some of the crucial legal issue are: under what circumstances will an employer be held vicariously liable for the sexual harassment of its employees? Are systems for reporting, investigating and punishing harassers adequate? Have due process protections for the alleged perpetrator been provided?

What ideas can you offer to make our judicial system more open, transparent, and responsive?

Increasing access to the judicial system means more than simply allowing someone to make photocopies of pleadings at no cost. With today's technology—including video—we could livestream legal proceedings at all levels of the court, not just at the Washington Supreme Court level. When I managed the Involuntary Treatment Act Court (civil commitments), I instituted a video hearing program to ensure that individuals housed in mental health facilities could participate in their commitment hearings without having to spend hours traveling to/from the courthouse strapped to a gurney. Governor Inslee just signed legislation passed by the state legislature making video hearings permissible in all Evaluation & Treatment facilities across the state to ensure access to justice.

King County Superior Court also provides interpreter services to any litigant who needs such services, at no cost, regardless of the litigant's ability to pay. This service helps ensure that parties are able to understand the judicial process, are able to explain the problem for which they seek court intervention, and leave the courthouse confident that they were heard.

Finally, courts must adapt to changes in their community. King County's demographics have changed significantly and, as a result, the types of cases being filed in the downtown courthouse and the Regional Justice Center in Kent, have also changed. As a member of the superior court's leadership team, I have worked with colleagues to examine how to respond to these changes to ensure that we are providing adequate judicial and court staff in each courthouse to meet the demands of the local community. This analysis led the executive committee in 2017 to reallocate judicial officer resources to the RJC in Kent, as that is the area of greatest caseload growth within the court.

**I affirm that all the information provided in response to this questionnaire is true, complete and correct, to the best of my ability, and that no relevant matter has been omitted.**

Signature



Date: May 6, 2018

Printed Name

Beth M. Andrus