

King County Democrats 2010 Judicial Candidate Questionnaire

Candidate Name	David Tracy
Position sought	King County District Court Southeast Division #6
Residence LD	47 th
Are you the incumbent?	No, there is no incumbent. This position has just been established
Campaign Information	
Campaign Name	Committee to Elect David Tracy Judge
Web page	www.electtracyjudge.com
Campaign Email address	
Manager	Gary Turpen
Campaign mailing address	108 Wells Ave. S., Renton, WA 98057
Campaign phone number	425-277-0302
Campaign FAX	425-277-4749

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

Which undergraduate and law schools have you attended? Include Graduation date, degrees.
 1978 - University of Idaho Law School, Moscow, ID, J.D.

1975 - Washington State University, Pullman, WA, B.A. Political Science; other fields of study: speech, business administration, and economics.

Hours and types of pro bono work performed.
 1987 to present - South King County Bar Association Legal Clinic, providing legal advise to hundreds of persons on all topics.

Have you ever been a prosecutor for any government entity? If yes, where and how long?
 Only once for the City of Renton when there was a conflict of interest.

Have you ever defended a person accused of a crime? If yes, where and how many cases?
 Yes, I have represented hundreds of clients involved in misdemeanor cases and have over 30 years of experience.

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

Yes, I have completed an Arbitrator/Mediator training and have handled at least one arbitration.

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How many times have you participated as a judge or attorney in:	
Municipal Court	Hundreds
District Court	Hundreds
Superior Court jury trials	Once
Arguments in Court of Appeals	Three
Arguments in State Supreme Court	Once
Federal District Court trials	None

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

In the past, I have received the highest or next to highest rating. Those ratings are currently outside the time period that I am authorized to disclose. The applications have been completed and being filed with the appropriate entity.

Which organizations and individuals have endorsed you in this race?
Judge Charles Delauranti, II, Judge Robert McBeth (retired), Judge Patrick Burns, dozens of attorneys including past prosecutors, public defenders and chief of police.

Which judicial candidates have you endorsed in the past five years?
Judge Patrick Burns, Auburn Municipal Court

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

See attached.

What is your strongest area of legal expertise?

After over 30 years of operating a law practice, I have developed a number of different areas that I am knowledgeable including civil trial collection, criminal misdemeanor and traffic infractions.

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

I served on the task force for Alternative Court Funding. I would support the recommendations of the task force that the state should pay more of the costs of the trial courts. An area to look at for the future would be the state considering taking over all jail and prison facilities. This would allow efficient use of resources across the state, instead of the bidding process we have now. It would make the state more aware of the costs of increasing mandatory jail sentences and a more efficient use of enforcement resources between felony and misdemeanor crimes. Alternatives to jail should be considered including electronic home monitoring and work crews. Often the defendant will pay for these services but even if not, the costs are reduced. The use of ankle bracelets that will actually indicate where the defendant is should be used to monitor that the defendant is staying away from certain areas such as a tavern or a victim of domestic violence. I have not been involved in any "jail day" but know some judge have found that process successful. The "day jail" concept requires a defendant spend the entire day in court listening to all the proceedings in court.

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While serving as a Municipal Judge, I used procedures to call defendants and remind them of their court hearing. This saved the court money as there was a higher appearance rate and less warrants had to be issued and served. I used procedures to maximize the use of interpreters so that an interpreter for any one language would be on one calendar. This produced significant savings in the cost of providing interpreters.

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

Since I represented a mother who was having her children taken away by the State, I have been concerned about those with limited income or no means or ability to defend or pursue their rights in legal proceedings. I have volunteered for King County Legal Clinic in Kent for over 20 years. As a Judge, I have strived to explain the process, the rights defendants have and encourage them to get an attorney. I have worked hard to have interpreters for those who need that resource to understand what is happening to them

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

I believe that many of the forms the court uses should be available in different languages. This has been done for some languages especially Spanish. When a court has prepared a form in a different language it should be filed in a central location along with the form in English so that all courts can use the form. Some courts have forms in different languages that other courts can not access as a resource and could use. There should be an effort to expand this resource. While it is helpful to have an interpreter, I believe it would make those who do not understand English even more aware and comfortable about what is happening to them. To help those who may not be able to read, to have those forms recorded digitally in spoken form could also be helpful. You could then give the recording and earphones to the person to listen to what the form indicates. Further, this digital spoken recording could be used for simple phrases such as; "I am sorry, we do not have an interpreter here today. Please return on (Blank-date and time) and we will have an interpreter present to assist you." This is not meant to replace interpreters as there are also questions that are not covered by the forms or recordings.

If a sitting Judge, what committees have you been appointed to and what are the

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significant accomplishments of those committees or yourself? If not, which committee assignments would you seek?

2005 - Washington State Judicial College, Dean of College that teaches new judges for the past year the basic skills needed.

2004 to present - Board of Judicial Education, member.

2003 to 2004 - Funding Alternative Committee for the Task Force on Court Funding, member.

2002 to present - DMCJA Educational Committee that organizes the program for DMCJA Spring Judicial Conference, member.

2002 to 2003 - DMCJA Technology Committee, member.

2002 - DMCJA Committee on Judicial Resource Committee, caseload study member.

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.

I believe any provision that increases the access to the judicial system from competent persons should be pursued. In general, if properly trained, tested and supervised, I believe that much work can be done by persons who do not have a law degree. The largest concern is to be sure that the person providing the legal assistance has the knowledge and training needed to provide the help, knows their limitations and when to ask for help or send the person to someone the appropriate training. It is also important that they understand the need for client confidentiality

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

I have been appointed a number of times to be a GAL, although it has been at least 10 years since my last appointment. I was the guardian for my nephew and niece for 12 years.

How have you promoted diversity within your staff?

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I have a small office with one attorney. In the past I have had other attorneys, assistants and legal assistant interns working in my office. Those individuals have included men, women, and minorities.

When I was Judge of a Municipal Court, the policy was that all who applied for positions with the court would be considered. I encouraged minorities to apply and had minorities working for the court including men, women, Black, Hispanic and Asian.

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 campaign is just starting. The plan includes yard signs, doorbelling and mailings. More specifically, I intend to doorbell on 9,000 to 10,000 households, one mailing in the primary if there is a primary and at least one mailing in the general election. Yard signs will be posted all over the district. All printed materials will be purchased from companies that have unions. While there will be fundraising, I have sufficient funds to run the campaign in excess of \$50,000.00.

The main message is my experience and my commitment to be respectful to all persons who come before me. I believe that everyone who comes before the court deserves to be treated respectfully and be given the opportunity to be heard. The courts belong to the people and as such Judges should assist them to understand the court process, their individual rights and the judgments and decisions a court makes. The goal is to be fair, provide equal access and equal treatment to all who come before me.

I have read this questionnaire and understand and approve the content and all provided information.

Printed Name	David Tracy	Date
Signature		