

King County Democrats 2010 Judicial Candidate Questionnaire

Candidate Name	John O'Brien
Position sought	North East District Court Position #6
Residence LD	5th District
Are you the incumbent?	No
Campaign Information	
Campaign Name	John O'Brien for Judge Committee
Web page	Johnobrienforjudge.com
Campaign Email address	jlob@johnobrienforjudge.com
Manager	Jim Berry
Campaign mailing address	175 NE Gilman Blvd. #207 Issaquah, Wash. 98027
Campaign phone number	425-295-2006
Campaign FAX	425-391-7489

Candidate Background: Community service, education, employment and other relevant experience.
Which undergraduate and law schools have you attended? Include Graduation date, degrees.
Gonzaga University BA 1978
Seattle University Law School JD 1981

Hours and types of pro bono work performed. Eastside Legal Clinic Pro Bono Panel Attorney approximately 60 hours Washington State Protection and Advocacy Agency (Trouble Shooters for the Handicapped) -Pro Bono consulting attorney - 3 years

Have you ever been a prosecutor for any government entity? If yes, where and how long? Yes. Duvall, Carnation, Medina and Hunts Point - 9 years
--

Have you ever defended a person accused of a crime? If yes, where and how many cases? Yes. I have represented individuals accused of gross misdemeanor and misdemeanor offenses in the district court system throughout my 29 years of practice. There have been well over 200 clients.
--

King County Democrats 2010 Judicial Candidate Questionnaire

Have you ever served as an arbitrator or Mediator? If yes, where and how many times?
 Yes. I have been a King County Superior Court Arbitrator for 23 years. There are 43 hearings summarized in our current accounting system. Older files have been archived or deleted.

How many times have you participated as a judge or attorney in:	
Municipal Court	Attorney - 50+
District Court	Attorney - 200+ Judge Pro-Tem 15 years, average 60 times per year
Superior Court jury trials	Attorney - 10
Arguments in Court of Appeals	Attorney - 4; Brief drafting -1
Arguments in State Supreme Court	Attorney -1 Brief drafting, not oral argument
Federal District Court trials	Attorney - 1

What ratings and endorsements have you received?	
Municipal League	Ratings release date is July 19th
King County Bar Association	Pending
Washington Women Lawyers	Pending
Loren Miller Bar Association	Pending
QLAW: the GLBT Bar Association	Pending
Latina/Latino Bar Association	Pending
Joint Asian Judicial Evaluation Committee	Pending

Which organizations and individuals have endorsed you in this race?
 Supreme Court Justice Tom Chambers, Supreme Court Justice Faith Ireland (ret.); District Court Judges Frank LaSalata and Peter Nault; Issaquah Mayor Ava Frisinger; Issaquah Council Members Fred Butler and Eileen Barber; Snoqualmie Council Members Jeff MacNichols, Charles Peterson, Kingston Wall and Bob Jeans; Sammamish Council Member Nancy Whiten; Past President of the Issaquah School Board Connie Fletcher; Dean Rebheun, Past Chair- Bellevue Chamber o Commerce; Bob Ittes, Past Chair- Issaquah Chamber of Commerce; Citizens for Judicial Excellence

King County Democrats 2010 Judicial Candidate Questionnaire

Which judicial candidates have you endorsed in the past five years?

Judge Ann Harper Judge Frank La Salata

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.)

N/A

What is your strongest area of legal expertise?

I think I am strong in the prompt analysis of evidentiary rulings while presiding. As a trial attorney, I have a strong emphasis on the elements of a crime in criminal law as well as the elements of proof in civil personal injury cases and real estate contracts.

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

The Superior Court has gone to an electronic filing system, mandatory for attorneys and recommended for pro se litigants. The system appears to be working to expedite filings for the participants and cutting down on court employee time for maintaining hard copy files. There are also fees associated with the filing of the documents and ex parte orders that assist the funding of the system. I would like to see the e-filing system adopted by the District Court and hopefully achieve the same result.

Also, many pre-trial hearings, such as civil discovery and pre-trial conference motions, could be done by telephone, saving staff time and attorney time.

King County Democrats 2010 Judicial Candidate Questionnaire

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

I have not taken any action regarding access to the judicial system in the past 5 years.

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

The approximate time to get to a superior court trial is 18 months from the date of filing to the trial date. I think the civil jurisdictional limits of the district court should be increased to at least \$100,000. The District Court should also be able to hear unlawful detainer proceedings and class C felonies. By increasing the responsibilities of the District Court, lag time in the Superior court should be reduced.

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?

N/A

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 Legal Technician Rule would permit non-lawyers to provide limited legal services after training and passing an exam. It is my understanding that the areas of family law, elder law, housing and immigration are being considered as limited practice areas. I also understand that the practice will be limited to assistance in completing Washington state approved forms and guiding clients through court processes as opposed to advocating for the clients in court.

I think there is an unmet need in the State for many disadvantaged citizens to obtain legal services. With the training and testing requirements being outlined by the Practice of Law Board, the Legal Technician can help fulfill the gap for those that qualify for legal service clinics and those that cannot afford a private attorney.

King County Democrats 2010 Judicial Candidate Questionnaire

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

No

How have you promoted diversity within your staff?

I am the managing partner of an eleven attorney firm in Issaquah. The next senior partner in the firm is Lisa Barton. Lisa and I have worked together for over 15 years. Next in line of seniority is Russell Joe, of Chinese/Japanese decent. We recently hired Sengphachahn Livingston, an attorney born in Thailand, for a year and half long project that ended last October. We have made a proposal to have attorney Daniel Bahk, Korean, join us in September of this year.

I have always looked to the quality of the individuals considered for employment in the firm over any thoughts of race, creed or ethic origin.

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?

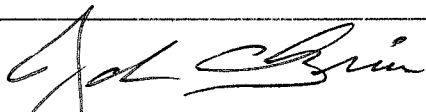
The main message of my campaign, and why I will win, is the balance I will bring to the District Court Bench. I have been a prosecuting attorney in the district court system as well as defense counsel. I know what it means to the police departments and victims of crime to bring a perpetrator to justice. I also know what it means to represent an individual facing the criminal justice system, being accused of a crime in an unknown arena. In my 29 years of practice, I have represented both plaintiffs and defendants in civil proceedings as well, from contract disputes to personal injury claims, medical malpractice to real estate claims.

In addition to my message of balance, I am also promoting my judicial experience. Having served as a judge pro tempore in the District Court for 15 years and Superior Court Arbitrator for 23 years, I have presided over countless jury and bench trials, both criminal and civil, heard motion calendars, probation revocation proceedings and felony arraignments in the King County jail.

King County Democrats 2010 Judicial Candidate Questionnaire

Finally, my message is service. I believe serving as a judge is an extension of community service. I have an extensive history of service to my community. I have been a member of the Rotary Club for 22 years and have served as its President. I have served on the Board of Directors of the Issaquah Chamber of Commerce and the Issaquah Grange, two years as the Grange president. I am also on the board of the Eastside Montessori School Foundation and have served on the Issaquah School District's Bond Feasibility Committee.

The campaign plan, staffing and budget is being coordinated through Argo Strategies and is a work in process at this time.

I have read this questionnaire and understand and approve the content and all provided information.		
Printed Name	John O'Brien	Date
Signature		July 12 th , 2010