

DFXTHE WASHINGTON STATE GOVERNOR'S OFFICE UNIFORM JUDICIAL EVALUATION QUESTIONNAIRE

I. Judicial Position	
Position Sought Superior Court Judge	Court, Division, or District Spokane County Superior Court

II. Personal Information	
Name (Last, First, and Middle Initial) Miller, J. (Jeffrey) Scott	Email (Personal and Work) jscottmiller@jscottmiller.com
Home Mailing Address 1011 W. 32 nd Avenue	City, State, ZIP Spokane, WA 99203-1330
Work Mailing Address 201 W. North River Drive, Suite305	City, State, ZIP Spokane, WA 99201-2282
Personal Phone (Include area code) 509-838-1374	Work Phone (Include area code) 509-317-5591 ext. 121
Mobile Phone (Include area code) 509-290-9282	Social Security Number xxx-xx-xxxx
WSBA Bar Number and Year of Admission 14620 (1984)	Date of Birth (mm/dd/yyyy) 03/17/1953

III. Prior Evaluation and Application History
Please list all prior judicial positions sought. Please list evaluations you received as part of that process, including dates. None

IV. Education		
Please list all law school, graduate, and undergraduate colleges and universities attended.		
College/University Gonzaga University School of Law	Month and Year Attended (From and To) 08/1981 – 06/1984	Degree Awarded J.D.
College/University Gonzaga University	Month and Year Attended (From and To) 09/1978 – 12/1980	Degree Awarded B.A.
College/University Washington State University	Month and Year Attended (From and To) 09/1972 – 06/1974	Degree Awarded attended
College/University Western Washington State College	Month and Year Attended (From and To) 09/1971 – 06/1972	Degree Awarded attended
If you did not complete your degree at any of these schools, please explain why. I grew up in Pullman and attended WWSC (now WWU) for 1 year but moved home for financial reasons. I was married in June 1974 and my wife attended WSU while I owned and operated a retail music store to support our family. After we moved to Spokane in 1975 I completed my undergraduate degree so I could attend law school where I was awarded a Thomas More Scholarship.		

V. Professional History	
1. Present Employer Self	Employer's Address 201 W. North River Drive, Ste. 305, Spokane, WA 99201
Employer's Phone (Include area code) 509/327-5591	Your Title Owner
Dates of Employment From To present	Supervisor's Name self
Nature of Practice (including frequency of court appearances and areas of special emphasis) Civil litigation (federal and state), including personal injury, business, probate	
Reason for Leaving n/a	

2. Present Employer Gonzaga University School of Law	Employer's Address 721 N. Cincinnati St., Spokane, WA 99220-3528
Employer's Phone (Include area code) 509/313-5790	Your Title Adjunct Professor – Insurance Law
Dates of Employment From 2000 To Present	Supervisor's Name Dean Sandra Simpson
Nature of Practice (including frequency of court appearances and areas of special emphasis) Teaching insurance law.	
Reason for Leaving Insurance Law classes are taught once per year. I am currently teaching this class.	

3. Present Employer Whitworth University – MBA Program	Employer's Address 534 E. Spokane Falls Blvd., Spokane, WA 99201
Employer's Phone (Include area code) 509/777-4455	Your Title Senior Adjunct Professor – International Transaction Law and Ethics (MBA525)
Dates of Employment From 2012 To Present	Supervisor's Name John Hengesh
Nature of Practice (including frequency of court appearances and areas of special emphasis) This is an MBA seminar class addressing international transaction law, and issues of ethics. A full course description is available on request.	
Reason for Leaving This class is typically taught once each year, but because of curriculum changes I taught it during both Summer and Fall semesters in 2016. I am scheduled to teach again Fall Semester 2017.	

4. Present Employer Whitworth University – Undergraduate Program	Employer's Address 300 W. Hawthorne Road, Spokane, WA 99251
Employer's Phone (Include area code) 509/777-4725	Your Title Senior Adjunct Professor – Business Law
Dates of Employment From 2012 To Present	Supervisor's Name Dr. Robert Buckham (Dean)
Nature of Practice (including frequency of court appearances and areas of special emphasis) I teach Business Law (BU240) in both Fall Semester (two sections) and Spring Semester (one section). This is an undergraduate course with approximately 30 students in each section.	
Reason for Leaving I am currently teaching this course.	

5. Previous Employer Miller, Devlin & McLean, P.S.	Employer's Address 201 W. North River Drive, Suite 500, Spokane, WA 99201
Employer's Phone (Include area code) 509/327-5591	Your Title Managing Partner
Dates of Employment From 1992 To 2008	Supervisor's Name Self
Nature of Practice (including frequency of court appearances and areas of special emphasis) Civil litigation (federal and state), including personal injury, business, probate	
Reason for Leaving Firm dissolved and I began solo practice with one paralegal (office sharing with three other attorneys). This firm was previously known as Miller, Devlin, McLean and Weaver, PS. Before that it was Johnson, McLean, Devlin & Miller, P.S.; and before that it was Johnson, McLean, Riccelli, Devlin & Miller, P.S.	

Please list any additional employment, and include the same information sought in previous Section V questions.
See below

6. Previous Employer Turner, Stoeve, Gagliardi & Goss, P.S.	Employer's Address 301 W. Indiana, Spokane, WA 99205
Employer's Phone 509/326-1552	Your Title Shareholder (previously Associate, and previously Clerk/Intern)
Dates of Employment 1982-1984	Supervisor Name Joseph P. Gagliardi (deceased)
Nature of Practice Civil litigation (federal and state), including personal injury, business, probate	
Reason for Leaving Financial	
7. Previous Employer KHQ Broadcasting	Employer's Address 4202 S. Regal, Spokane, WA 99225
Employer's Phone 509/448-6000	Your Title Announcer/Reporter
Dates of Employment 1978-1981	Supervisor Name Charles Heaton (Program Director)
Nature of Practice Radio Announcer, TV Reporter, NBC Regional Reporter, United Press International Stringer	
Reason for Leaving To attend law school	
8. Previous Employer KXLY Broadcasting	Employer's Address 500 W. Boone Ave., Spokane, WA 99201
Employer's Phone 509/328-6292	Your Title Farm Director, radio reporter, account executive
Dates of Employment 1976-1978	Supervisor Name Wayne McNulty (deceased)
Nature of Practice I was originally hired as an account executive, then moved into radio where I worked as Farm Director, local reporter, and regional reporter for CBS Radio and ABC TV	
Reason for Leaving Better opportunity at KHQ	
9. Previous Employer Three Forks Music, Inc.	Employer's Address 131 N. Grand Ave., Pullman, WA 99163
Employer's Phone 509/564-5273	Your Title Owner
Dates of Employment 1973-1976	Supervisor Name Self
Nature of Practice Retail music store, and professional musician	
Reason for Leaving Store burned	

VI. Jurisdictions, Associations, and Awards

List all other courts and jurisdictions in which you have been admitted to practice law and the dates of admission. Please provide the same information for administrative bodies having special admission requirements.

In addition to the Washington state courts, I am admitted to Idaho state courts; US District Courts (Eastern District and Western District); US Bankruptcy Court (EDWA) and the 9th Circuit Court of Appeals

Please list all bar associations and professional societies of which you are a member and give the titles and dates of any offices that you have held in such groups.

I am currently a member of the WSBA, ISBA, and Spokane County Bar Association. I am a life Fellow in the American Bar Foundation and the American Judicature Society. I am a member of the Episcopal Chancellor's Network.

Are you in good standing in every bar association of which you are a member? yes If you answered "no", please explain.

If you have been a judge, please identify court committees on which you served or administrative positions you have held. Include dates of services for each.

I have never been a judge, except in the limited context of MAR Arbitrator.

Please list any honors, prizes, awards, or other forms of recognition that you have received and whether they were professional or civic in nature.

I was awarded a Thomas More Scholarship all three years at Gonzaga University School of Law.

VII. Professional Practice Experience

Within the last five years, did you appear in trial court:

Regularly Occasionally Infrequently

Within the last five years, did you prepare appellate briefs and appear before appellate courts:

Regularly Occasionally Infrequently

Within the last five years, how often did you appear in the court for which you are applying:

Regularly Occasionally Infrequently

Career Experience – What percentage of your appearances in the last five years was in:

Federal Appellate Courts 2%

Federal Trial Courts 10%

State Appellate Courts 10%

State Trial Courts 77%

Municipal Courts 0%

District Courts 0%

Administrative Tribunals 1%

Tribal Courts 0%

Other 0%

What percentage of your practice in the last five years was in:

Civil Litigation (excl. family law) 97%

Criminal Litigation 0%

Family Law Litigation 2%

Non-Litigation 1%

What percentage of your trials in the last five years were:

Jury Trials 90%

Non-Jury Trials 10%

Indicate the total number of cases during your career that you have tried to verdict or judgment (rather than settled) in the following courts, and indicate for each court that the following percentages: trials in which you were the sole counsel or chief counsel, jury trials, and trials where you were the arbiter/decision maker.

Court	Number	% as sole/Chief Counsel	% Jury	% as the Arbiter
Municipal Court	0			
State District Court	3	100	100	0
State Superior Court	56	99	95	2
Federal District Court	15	100	80	0
Administrative Court	2	100	0	0
Tribal Court	0			
Other	0			

Indicate the total number of appellate cases during your career where you appeared as counsel of record in the following courts, and indicate for each court the following percentages: cases where you were sole counsel or chief counsel, and cases where you were the arbiter/decision maker (if applicable).

Court	Number	% as sole/Chief Counsel	% as the Arbiter
State Superior Court	1	100	
WA Division I COA	0		
WA Division II COA	1	100	
WA Division III COA	11	100	
State Supreme Court	2	100	
Federal Circuit COA	3	100	

US Supreme Court	0		
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Briefly describe no more than eight significant matters that you directly handled as counsel, and include the reason that each is significant to you. For each, please provide the name of the judge or other judicial officer, and the citation, if applicable.

1. *Marquis v. City of Spokane*, 130 Wn.2d 97 (1996) – extended gender discrimination protections in RCW 49.60.030 and 42 USC §2000e to female independent contractors
2. *Schuchman v Hoehn*, 119 Wn. App. 61 (2003) – clarified Industrial Insurance Act employer immunity regarding minors
3. *Power v. Viking Ins.*, 44 Wn.App. 495 (1986) – distinguished “phantom vehicle” exclusion in UIM coverage
4. *Goad v Springdale Lumber*, 85 Wn. App. 98 (1997) – deliberate intention exclusion in Industrial Insurance Act
5. *Coghlan v. Beta Theta Pi*, 133 Idaho 388, 987 P.300 (1999) – social host immunity for dram shop liability
6. *Dickinson v. Edwards*, 105 Wn.2d 457 (1986) – commercial host liability for dram shop liability
7. *Bliss v. Newport*, 58 Wn.App. 238 (1990) – preservation of credit for insurance payment under collateral source rule
8. *Roe v. City of Spokane*, 2008 US Dist. LEXIS 52212 (2008) – Police Dept. liability under 42 USC §1983 for destruction of photograph evidence of rape of minor child by on-duty fire personnel.

State in detail your experience in adversary proceedings before administrative boards or commissions during the last five years.

I recently represented an employer in an unemployment wage loss hearing.

Please briefly describe any legal non-litigation experience that you feel enhances your qualifications to serve as a judge.

I have extensive experience working on various ABA and WSBA committees, and am an active member of the Episcopal Chancellor’s Network which includes evaluation and analysis of legal issues affecting churches and other nonprofits. I have served as the Chancellor to the Episcopal Bishop since 2013, and as Chancellor to the Diocesan Cathedral from 2005-2009. I was a member of the Ecclesiastical Court from 1995-2007, and am currently on the Board of Directors for Central Terrace, Inc, a low income housing program of the Diocese. I served as Chair of Spokane Public Radio from 2010-2012 after rising through the chairs from 2006-2012.

Please list all chairmanships of major committees in bar associations and professional societies and memberships on any committees that you have held and believe to be of particular significance.

ABA House of Delegates: State Delegate 1998-1999; WSBA Delegate 1994-2004

ABA Torts, Trials, and Insurance Practice Section: Council 1999-2002; Automobile Committee Chair 1991-1992; Annual Meeting Program Chair 2000.

ABA Membership Committee: 2006-2009 (chair 2009)

WSBA: Judicial Selection Advisory Committee 1997-2001; Committee for Evaluation of Rules of Professional Conduct (“Ethics 2003”) 2001-2005; Bench Bar Press Committee 1994-2004; Editorial Advisory Board 1990-1994 (chair 1992).

Have you published any books or articles in the field of law? If so, please list them, giving the citations and dates. Also, please give the dates and forums of any Continuing Legal Education presentations that you have made.

Publications

“The Special Committee for the Evaluation of the Rules of Professional Conduct”

Wash. State Bar Assoc. *Bar News*, Vo. 57, No. 11 (2003)

"The Appealing Virtues of Case Organization"

ALI-ABA's Practice Checklist on Trial Preparation (1995)

"Review: Washington Tort Law and Practice"

Wash. State Bar Assoc. *Bar News*, Vol. 48, No. 11 (1994)

"Review: In the Matter of Billy K."

Wash. State Bar Assoc. *Bar News*, Vol. 47, No. 11 (1993)

"How to Organize, Argue, and Present Your Case"

ABA/TIPS The Brief, Vol. 22, No. 4 (1993)

"The Appealing Virtues of Case Organization"

ALI/ABA The Practical Litigator, Vol. 4, No. 4 (1993)

reprinted in *ALI-ABA's Practice Checklist Manual on Trial Preparation: Forms, Checklists, and Advice from the Practical Lawyer and the Practical Litigator* (American Law Institute, 1966)

“Automobile Law: 1989-1990 Case Law Update:

ABA/TIPS Tort and Insur. Law Journal, Vol 47. No2 (1992)

"Freedom of Choice-NoFault Insurance: Pro Argument"

ABA/TIPS Automobile Law Committee Newsletter
Special Issue (Winter 1990)

"Confidentiality: Listen, Do You Want to Know a Secret?"

Wash. State Bar Assoc. *Bar News*, Vol. 47, No. 2 (1992)

CLE Presentations

"The Rules of Professional Conduct: Update on Changes"

Annual Meeting
Washington Public Ports Association
Program presenter (May 18, 2005)

"Update on Ethics 2003"

Annual Meeting
Washington State Association of Municipal Attorneys
Program presenter (October 1, 2003)

"Designing and Marketing Your Firm On the Internet"

Computer and Email Seminar
Spokane County Bar Assoc CLE – Program presenter (July 10, 1998)

"Documents, Public Records and ER 904"

How to Develop and Use Convincing Evidence
WSBA CLE - Program Co-chair (July 14, 1995)

"Service of Process and Statutes of Limitations"

How to Prepare an Automobile Liability Case
WSTLA CLE – Program presenter (December 11, 1992)

"How to Organize, Argue and Present Your Case"

Anatomy of a Motor Vehicle Collision Case
ABA Annual Meeting – Program chair (August 8, 1992)

"Emerging Ethical Issues – Fax, E-Mail and Cellular Phones"

9th Annual Pacific Rim Computer Law Institute
Program presenter (June 5 – 6, 1992)

"Access and Ethics –Mutually Exclusive?"

1991 Conference of the Pacific NW Assoc. of Journalism Educators
Program moderator (October 12, 1991)

"Conflicts in Media Law"

Spokane County Media Law Committee Seminar
Program Co-chair (September 21, 1991)

"Current Issues and Trends in Employment Law"

TSG&G Annual Insurance Seminar
Program chair (June 14, 1991)

VIII. Judicial Interest and Experience

In 75 words or less, please describe why you are seeking a judicial position.

In my experience, judges that have extensive experience in the courtroom as litigators are better able to evaluate the legal issues better. And experience in the courtroom translates into justice that not only appears to be fair, but actually is fair. With nearly 35 years of courtroom experience I believe that I bring to the bench an understanding of the stress litigants experience, and that will enable me to be sympathetic, and provide judicial guidance and decisions appropriately, fairly, and in a way that engenders confidence in the correctness of the decision. Respect for judicial decisions requires the bench to be informed, prepared, and experienced. My background is in the civil arena, obviously, but I am current on all aspects of the law and will not hesitate to seek input from other judges if I encounter an area with which I am unfamiliar. I applaud and support alternative methods of correcting criminal behavior such as the special drug court and programs for military veterans.

In 75 words or less, please describe the type of judge you aspire to be.

As a judicial officer I will listen to all sides, rule according to the law and do equity with fairness, equality, and without prejudice or preconceived beliefs. I will not be rude, condescending, or autocratic. It is critical to maintain control over the courtroom, obviously, but that does not mean being a bully or threatening. Attorneys and parties that appear in my courtroom will be treated with respect regardless of background or economic situation. And it should go without saying that every person, regardless of religion, ethnicity, or standing is equal before the law, and will be treated that way in court. My decisions will be timely, thoughtful, and complete. I will never be reversed on appeal because I was unprepared, lazy or sloppy. Finally, enforcing criminal punishment is essential to a well-ordered society, but in most cases it must be based on an understanding that punishment is designed to teach good behavior and correct bad behavior, not retribution.

Have you ever held a judicial office? no

If you answered “yes”, please provide details, including the courts involved, whether elected or appointed, and periods of your service.

Have you ever held public office other than a judicial office? no

If you answered “yes”, please provide details, including the offices involved, whether elected or appointed, and periods of your service.

Please briefly identify all of your experience as a neutral decision-maker (e.g. permanent or pro tem judge in any jurisdiction, administrative law judge, arbitrator, hearing officer, etc.). Give courts, approximate dates, and attorneys who appeared before you.

I have been appointed as MAR arbitrator on approximately 10 cases, and a mediator on two cases.

If you seek an appellate court position, please describe how your previous judicial experience prepared you to serve as an appellate court judge.

This position is for the Superior Court which serves in an appellate capacity in limited circumstance.

IX. Community and Civic Activities

Please list community and civic activities, including dates and leadership roles you have held, over the last 10 years.

My civic and community activities have been focused on working with the Episcopal Diocese of Spokane. I have been supportive of judicial candidates, but have not been active in politics except as a citizen and a voter.

X. Access to Justice and Diversity in the Legal Profession

Please describe any activities that you have engaged in to eliminate bias or improve access to the judicial system.

I have represented several clients that suffered injustice in employment circumstances, based on gender, race, and sometimes religion. I have represented employers that were accused of bias and prejudice, and have counseled them how to revise their processes and protocols to comply with legal obligations. I have been a member of the Campaign for Equal Justice since 1999 and contribute annually.

What are the most significant barriers to access to justice today? In what ways have you seen these barriers in your practice?

The most obvious barrier is financial, but I have also seen clients that are bewildered and confused how to protect and enforce their rights. It has been a bright spot in my day when I can provide support to someone that needs a sympathetic ear, and helpful guidance how to resolve a dispute. Ignorance of how to obtain justice is a serious problem, and one that can be addressed by better education. How to reach people who don't think they need to know this information until they are already in trouble is an ongoing problem. As part of my law school scholarship program we provided legal assistance to less fortunate members of society, and Gonzaga Law School is now requiring more of that social commitment from its students. Little steps, maybe, but important ones.

As a member of the bench, what role, if any, do you believe that a judge has to enhance equal access to justice?

Judges have the most critical role in enhancing equal justice. First, by enforcing equal rights in the cases that come before them, but also by using their positions of respect to educate and encourage others. Perhaps most importantly, judges must constantly push legislators to provide adequate funding for the courts, especially the support systems for children who find themselves caught in the judicial system. Funding is challenging, and in Spokane the Commissioners are pressured to cut expenses, which means too often Public Defender's office budget takes the hit. The right to representation by competent counsel is meaningless if there are no attorneys available to fill that void. As a respected member of the community, judges should speak publically about the importance of equal access to justice for everyone, not just those that can afford it. And, certainly, in the context of crime the sentences that are imposed must not be biased based on ethnicity, gender, or economic status.

What experiences, training, or knowledge do you have in addressing diversity in the legal profession? Not enough.

Diversity in the legal profession in general requires making legal education available in a wider context. We are making strides by allowing some legal activity to be performed by specially trained individuals who focus on designated areas of the law that

don't usually require an attorney. The relatively recent Limited License Legal Technician designation is a major move in the right direction.

From the perspective of gender law schools are approaching student populations that are nearly the same as the general population. This is, obviously, a great improvement. A good movement that must be encouraged to continue.

Locally, diversity in Spokane is less about race and more about economics. Adding the Hispanic, African American, Asian and Native American populations together is barely 10% of the metro population.

What can a judge, or court, do to improve diversity in the legal profession?

Support law schools that encourage diverse student populations. Such diversity is pointless unless the students graduate and actually pass the bar. So judges should be active in law school curriculum, volunteer to serve on moot court panels, and contribute time through programs and classes. Of course, hiring externs to work in the courtroom is extremely important. There are minority populations that are underserved by the legal profession. It's important that clients feel comfortable, and that sometimes means finding a lawyer that looks like them.

XI. Discipline, Disputes, and Conflicts

Have you ever been held, arrested, charged, or convicted by federal, state, or other law enforcement authorities for violation of any federal law, state law, county or municipal law, regulation, or ordinance? no

If you answered "yes", please provide details, including case numbers. (Do not include traffic violations for which a fine of less than \$150.00 was imposed.) Please feel free to provide your view of how it bears on your present fitness for judicial office.

n/a

Has a client ever made a claim or suit against you for malpractice? no

If you answered "yes", please provide details and the current status of the claim and/or suit.

n/a

Have you ever been a party in interest, witness, or consultant in any legal proceeding? yes

If you answered "yes", please provide details, including the case number. Do not list proceedings in which you were merely a guardian ad litem or stakeholder.

Approximately 1999 I was a witness to a motor vehicle collision, and testified in the district court "failure to yield" trial.

Have you ever been the subject of a complaint to any bar association, disciplinary committee, court, administrative agency, or other professional group? no

If you answered "yes", please provide details.

Have you ever been disciplined or cited for breach of ethics or unprofessional conduct? Yes, but it was vacated.

If you answered "yes", please provide details.

The trial court imposed sanctions on me personally, but the Court of Appeals reversed. My Vietnamese clients struggled with English, and failed to correct an error in the Complaint where they were identified as husband/wife instead of brother/sister. Imposition of sanctions were not only reversed, but I was awarded attorney fees against opposing counsel for his failure to advise the court that he was not misled by the error. See *Aaseby v. Vue*, 2013 Wash. App. LEXIS 2052 (2013)

If you have ever served as a judge, commissioner, or in any judicial capacity, has a complaint for misconduct in that capacity ever been made against you? no

If you answered "yes", please provide details.

n/a

If you are now an officer or director of any business organization or otherwise engaged in the management of any business enterprises, please provide the following: the name of the enterprise, the nature of the business, the title of your position, the nature of your duties, and the term of your service. If you are appointed and do not intend to resign such position(s), please state this below along with your reasons for not resigning.

I currently serve *pro bono* as the Chancellor to the Episcopal Diocese of Spokane. I would resign this position.

Are you aware of anything that may affect your ability to perform the duties of a judge? no

If you answered "yes", please provide details.

XII. References – In the evaluation process it is useful for evaluators to speak with attorneys and non-attorneys who are familiar with you. Evaluators may contact each of your references. If a reference is unreachable, your evaluation may be delayed.

Please list the names and phone numbers of up to 10 opposing counsels who know you best, including at least three opposing counsels on cases that went to trial.

Ward Andrews 509/568-3640
Rob Greer 509/838-6800
Paul Burns 509/327-2213
Peter Schweda 509/924/3686
Jim Sweetser 509/328/0678
Steve Stocker 509/327-2500
Andy Smythe 509/455-6042
Scott Cifrese 509/455-6000
Tim Cronin 509/455-7999
James Barrett 503/552-2145
Jim King 509/455-5200

If you have been a judge or otherwise have served as a neutral decision-maker within the last 10 years, please list the names and phone numbers of the last 10 attorneys who have appeared before you.

My files and records are not maintained with this information.

For the last five trials in which you participated (whether as a trial lawyer or decision-maker), please list as appropriate the following for each: case name, subject matter, court, judge (with phone numbers), and opposing counsel or counsel appearing before you (with phone numbers).

Mattich v. Sun Lakes Resort – opposing counsel Terry Abeyta (509/575-1588) - drowning
Gibson v. City of Spokane Valley, 2013 Wash. App. LEXIS 2105 (2013) – opposing counsel Ken Harper (509/575-0313) – inverse condemnation
Desis v. YMCA (2014 Wash App. LEXIS 2201 (2014) – opposing counsel Pat Cronin (509/838-6131) – slip and fall
Acres v. Touchet - opposing counsel Tim Cronin (509/455-7999) – interference with fire suppression
Armsbury v. Callahan – opposing counsel Al McNeil (509/315-8390) – eviction and wrongful interference with business
Janacek v. Janaecec – opposing counsel Benjamin Flint (562/901-3060) – Fed. Mag. Judge Hutton – trust dispute
Griswold v. Silverwood – opposing counsel
Takata v. Bastian – opposing counsel Steve Matthews (509/838-6055)

Please list the names and phone numbers of 10 additional attorneys familiar with your professional qualifications, skills, experience, and attributes.

1. Phil Talmadge – 206/574-6661
2. Tom Fitzpatrick – 206/574-6661
3. Linda Klein (ABA President) – 404/221-6530
4. Rob Greer – 509/838-6800
5. Hon. Harold Clarke – 509/477-5717
6. Chuck Lempesis – 208/765-6000
7. Doug Spruance – 509/838-2828
8. Hon. Patricia Williams (ret.) – 509/939-0110
9. Peter Moye – 509/252-5658
10. Scott Cifrese – 509/455-6000
11. Ward Andrews – 509/568-3640
12. Bruce Blohowiak – 509/777-1389
13. Greg Devlin – 509/838-6131
14. Richard Algeo – 509/328-6123
15. Chris Kerley – 509/455-5200
16. Milt Rowland 509/777-1610
17. Nancy Isserliss – 509/838-6131
18. Ed Johnson – 509/990-5791

Please list the names and phone numbers of up to five non-attorney references whose opinions or observations—particularly with respect to your commitment to improving access to the judicial system—would assist in the consideration of your application.

1. Episcopal Bishop James Waggoner – 509/624-3191
2. Robert Carr – 509/960-0630
3. Mick McDowell – 509/321-1140
4. Tim Dahmen – 509/869-2009
5. Denis Murphy – 509/475-0200
6. Jim Wavada – 509/999-1864
7. Bruce Jolicoeur – 509/747-0999
8. Rev. Mark Klohe – 509/844-3599

Please provide a writing sample of your work (between five and 10 pages long), written and edited by you, within the last five years.

Attached are two briefs.

XIII. Rating and Evaluations – The Governor’s Office requires individuals seeking judicial appointment to utilize, to the fullest extent possible, the ratings processes from state, county, and minority bar organizations. To facilitate the process, many of these organizations accept this questionnaire as the principal application in their evaluation process and may also require completion of a supplement questionnaire.

- The Washington State Bar Association (WSBA) Judicial Recommendation Committee screens and interviews candidates for state Court of Appeals and Supreme Court positions. Recommendations are reviewed by the WSBA Board of Governors and referred to the Governor for consideration when making judicial appointments. Committee information can be found on the WSBA website at <http://www.wsba.org/jrc>.
- Contact minority bar associations to determine whether an evaluation process will be conducted. Contact information can be found on the Washington State Bar Association’s website at <http://www.wsba.org/Legal-Community/Minority-Bar-Associations>. This webpage contains a link to the list of Judicial Evaluation Committee Representatives for those associations who participate in standing judicial evaluation committees. Note that some of the minority bar associations may conduct judicial evaluations when judicial vacancies occur, even if committee representatives are not listed on the webpage.
- Contact the relevant county bar associations to determine whether an evaluation process will be conducted. Contact information for county bar associations can be found on the WSBA website at <http://www.wsba.org/Legal-Community/County-Bar-Associations>

List the organizations you have contacted for an evaluation.

Asian Bar Association; QLaw; Latina/Latino Bar Assoc.; Loren Miller Bar Assoc.; Northwest Indian Bar Assoc.; Spokane County Bar Assoc.; Washington Attorneys with Disabilities Assoc.; Washington State Veterans Bar Association; Washington Women Lawyers

XIV. Date and Signature – All answers and statement are true and complete to the best of my knowledge. I understand that the state may verify information, and that untruthful or misleading answers are cause for rejection of this questionnaire or dismissal if appointed. Electronic questionnaires do not require a signature; you may type in the date and your first and last name.

Date
February 17, 2017

Signature
J. Scott Miller