

October 12, 2010

PRESS RELEASE
BAR POLL FOR SPOKANE COUNTY DISTRICT COURT,
DEPARTMENT 6 ELECTION

The Spokane County Bar Association (SCBA) is pleased to announce the results of its 2010 Bar Poll as well as the report of the SCBA Judicial Evaluation Panel for those candidates who have filed for election to Department 6 of the Spokane County District Court. The candidates are:

The incumbent: Judge Debra R. Hayes

The challenger: Attorney Tim Note.

The SCBA evaluation has two components. A Bar Poll of the membership that rates each candidate in five key areas of judicial competency. In addition, a Judicial Evaluation Panel appointed by SCBA President James McPhee conducted an in-depth evaluation and interview of each candidate. The results of this combined evaluation process are provide as a public service as the general electorate often lacks the information necessary to form an opinion as to the competency of the candidates for a judicial position.

Participation in the SCBA's evaluation process is voluntary for each candidate. Those participating share in the preparation and circulation cost of the Bar Poll. The Bar Poll is sent to all active members of the Spokane County Bar Association.

This year's Judicial Evaluation Panel Chair, James McPhee, states: "Our bar association has a duty to the public to express our collective view as to the competency of an individual to sit in

judgment of our clients. We welcome this opportunity to be an integral part of the electoral process to identify qualified candidates. We do not rank the candidates but express our collective view the level of competency of those seeking to serve in a position of public trust. We believe our Bar Poll and Judicial Evaluation Panel process serves the public and the profession. We thank the candidates for their willingness to participate in, and fund, this important survey of their peers.”

The Bar Poll is prepared under the direction of Dr. David C. Brody of the criminal justice program of Washington State University, Spokane. The Bar Poll is a reflection of the personal views of individual members of the SCBA based on their first-hand knowledge of the candidates. The Bar Poll does not represent an endorsement of any candidate.

The Bar Poll asks each SCBA member to rate five categories of character traits recognized by the legal profession as important to the qualifications of a judge. The categories are: legal ability, judicial temperament, integrity, relevant legal experience and suitability. The rating is on a scale of 1 to 4 with 4 being “Exceptionally Well Qualified” and a 1 being “Not Qualified.” If the member is without sufficient information, the response is “Insufficient Information.”

As a note of caution, it is important to recognize that the results must be read considering both the rating and the percentage of responding members. For example, in the Bar Poll it is theoretically possible for a relatively unknown candidate to receive a high rating of 4.0 from a handful of responding attorneys, while a candidate who receives many responses receives a rating of 3.2. It would be a mistake to judge the former as “doing better” on the Bar Poll than the latter.

In addition to the Bar Poll, a Judicial Evaluation Panel was also appointed. Its members were selected from criminal prosecutors and defenders, civil plaintiff and defense lawyers, business lawyers and retired judges. The Judicial Evaluation Panel considered the candidates' responses to a detailed questionnaire, examined writing samples, and conducted in-person interviews of each candidate utilizing criteria recommended by the American Bar Association and recognized commentators. This criteria includes but is not limited to the areas of honesty, impartiality, judicial temperament, diligent work ethic, ability to communicate clearly orally and in writing, knowledge of the law, other areas as appropriately defined by the Judicial Evaluation Panel for the position, type and nature of the matters heard by the Court, ability to manage caseload, people skills, and consideration of Bar Poll results. The Panel uses the following rating categories:

Not qualified: Candidate fails to meet minimum qualifications for holding judicial office.

Qualified: Candidate meets minimum qualifications for holding judicial office.

Well qualified: Candidate exceeds minimum qualifications for holding judicial office in several categories.

Exceptionally qualified: Candidate sets a standard for excellence in all areas.

The Judicial Evaluation Panel's report is likewise published with this press release.

Each candidate has submitted to the SCBA a copy of their responses to The Washington State Governor's Office Uniform Judicial Evaluation Questionnaire along with a current biographical statement. Each candidate's completed questionnaire and biographical statement may be viewed on the SCBA website at www.spokanebar.org.

Questions can be directed to C. Matthew Andersen at 838-6131, to James McPhee at 455-9077, or to Penny Youde at 477-2665. The Bar Poll results and the Judicial Evaluation Panel report are attached.

The 2010 Judicial Evaluation Poll Results
SCBA Judicial Evaluation Panel Overall Evaluation

Judge Debra Hayes – Well Qualified

Tim Note - Qualified

The 2010 Bar Poll Results for District Court

Summary

	Legal Ability	Judicial Temperament	Integrity	Relevant Legal Experience	Suitability
Debra Hayes	2.48	2.47	2.50	2.69	2.51
Timothy Note	2.41	2.52	2.53	2.47	2.41

Detailed Response Information

Detailed Results Obtained by DEBRA HAYES

Legal Ability Average = 2.48

Not Qualified	30	19.2%
Qualified	53	34.0%
Well Qualified	41	26.9%
Exceptionally Well Qualified	32	20.5%
Insufficient Information	37	
Total Providing Ratings	193	

Judicial Temperament Average = 2.47

Not Qualified	28	18.4%
Qualified	54	35.6%
Well Qualified	40	26.3%
Exceptionally Well Qualified	30	19.7%
Insufficient Information	37	
Total Providing Ratings	189	

Integrity Average = 2.50

Not Qualified	33	22.0%
Qualified	45	30.0%
Well Qualified	36	24.0%
Exceptionally Well Qualified	36	24.0%
Insufficient Information	37	
Total Providing Ratings	187	

Detailed Results Obtained by DEBRA HAYES

Relevant Legal Experience Average = 2.69

Not Qualified	20	13.0%
Qualified	45	29.2%
Well Qualified	51	33.1%
Exceptionally Well Qualified	38	24.7%
Insufficient Information	32	
Total Providing Ratings	186	

Suitability Average = 2.51

Not Qualified	27	18.2%
Qualified	52	35.1%
Well Qualified	35	23.6%
Exceptionally Well Qualified	34	23.0%
Insufficient Information	34	
Total Providing Ratings	182	

Detailed Results Obtained by TIMOTHY NOTE

Legal Ability Average = 2.41

Not Qualified	23	18.3%
Qualified	49	38.9%
Well Qualified	33	26.2%
Exceptionally Well Qualified	21	16.7%
Insufficient Information	68	
Total Providing Ratings	194	

Judicial Temperament Average = 2.52

Not Qualified	17	18.4%
Qualified	48	35.6%
Well Qualified	29	26.3%
Exceptionally Well Qualified	25	19.7%
Insufficient Information	71	
Total Providing Ratings	190	

Integrity Average = 2.53

Not Qualified	19	16.4%
Qualified	44	37.9%
Well Qualified	29	25.0%
Exceptionally Well Qualified	25	21.6%
Insufficient Information	72	
Total Providing Ratings	188	

Detailed Results Obtained by TIMOTHY NOTE

Relevant Legal Experience Average = 2.47

Not Qualified	18	15.0%
Qualified	50	41.7%
Well Qualified	30	25.0%
Exceptionally Well Qualified	22	18.3%
Insufficient Information	66	
Total Providing Ratings	186	

Suitability Average = 2.41

Not Qualified	24	20.0%
Qualified	50	41.7%
Well Qualified	19	15.8%
Exceptionally Well Qualified	27	22.5%
Insufficient Information	63	
Total Providing Ratings	183	