

don't



If you give a judge a topic

“The topic of your speech could be about your personal path to become a federal judge and what it means to the profession to have a Native American judge on the federal bench **or any other topic that you would like to speak on.**” (Emphasis added.)

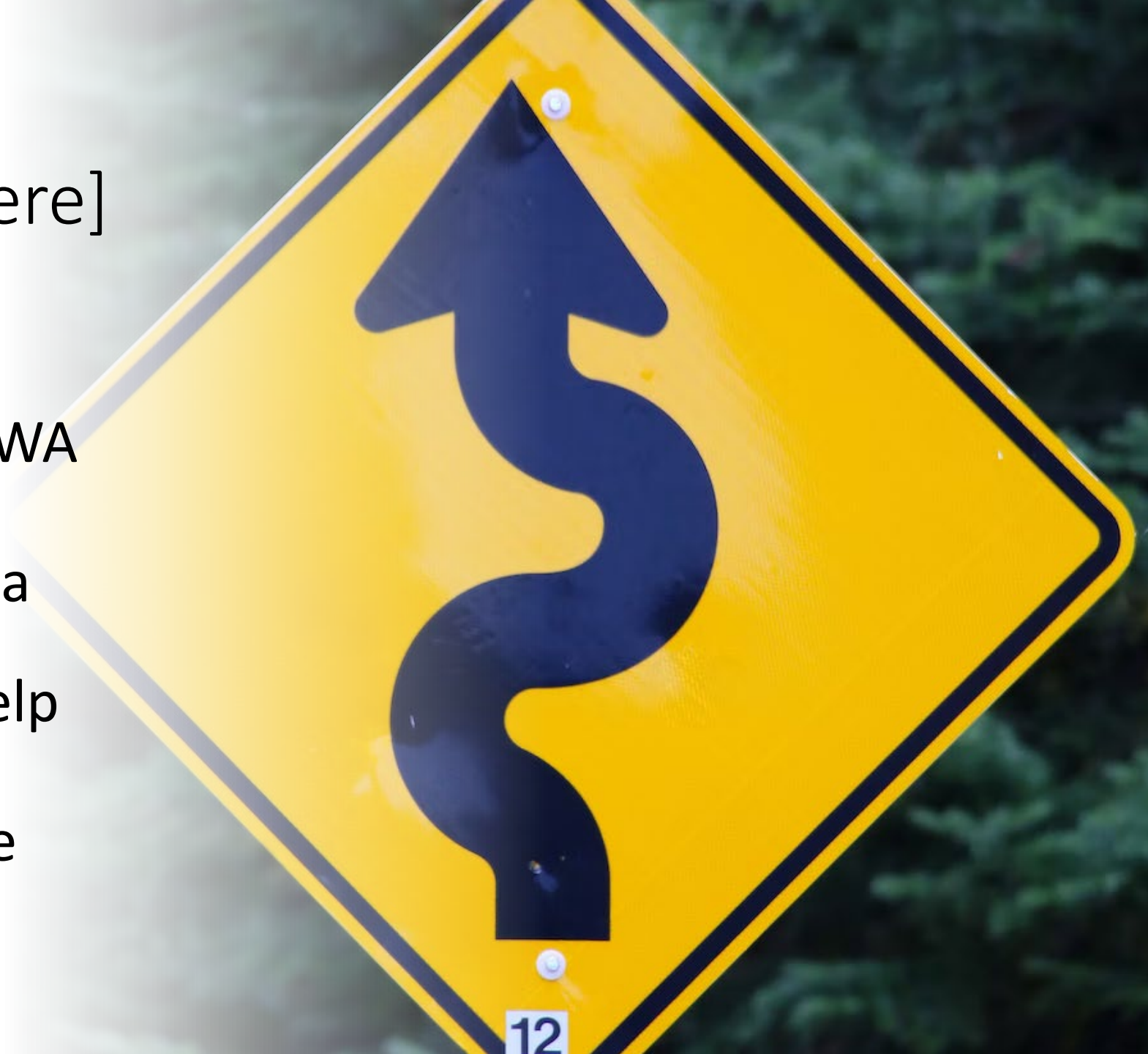


[Insert Title
Here]



[Insert Title Here]

1. Better know a district: big changes in EDWA and WDWA
2. Reflections as a new judge: helping you help us help you
3. My path to the bench



Trivia

How long was the judicial emergency in the Western District of Washington?



Trivia

How long was the judicial emergency in the Western District of Washington?

5 years (2016-2021)



Trivia

How many new judges are expected to have been confirmed between 2021-2023 in WDWA and EDWA?

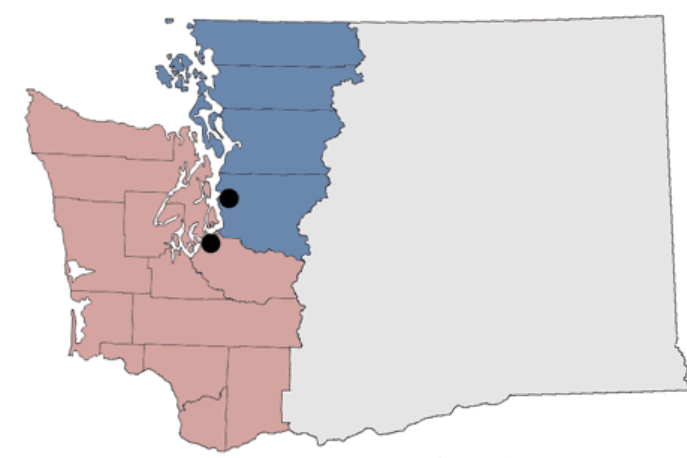


Trivia

How many new judges are expected to have been confirmed between 2021-2023 in WDWA and EDWA?

9 new judges






Better know a district

- Western District of Washington (Seattle, Tacoma)
 - 7 authorized active judge positions:
 - 5 new judges: Estudillo (2021), Lin (2021), King (2021), Chun (2022), Whitehead (2023)
 - 2 on the way (2023)
 - 11 senior judges:
 - Rothstein (1980), Coughenour (1981), Dimmick (1985), Bryan (1986), Zilly (1988), Lasnik (1998), Pechman (1999), Martinez (2004), Robart (2004), Settle (2007), Jones (2007)
- Eastern District of Washington (Spokane, Richland, Yakima)
 - 4 authorized active judge positions: Rice (2012), Bastian (2014), Dimke (2021)
 - 1 on the way (2023)
 - 6 senior judges:
 - Quackenbush (1980), Nielsen (1991), Whaley (1995), Shea (1998), Suko (2003), Peterson (2010)

What's the best way to learn more about a new judge?

1. Read their Senate Judiciary Questionnaire
2. Read their chambers procedures
3. Read their Questions for the Record



A close-up photograph of a wooden gavel resting on its sound block. The gavel has a dark wood handle and a light-colored wood head with a brass band. The sound block is also made of dark wood and has a circular top surface. The background is a soft, out-of-focus white.

What's the best way to learn more about a new judge?

1. Read their Senate Judiciary Questionnaire
2. Read their chambers procedures
3. Read their Questions for the Record
4. All of the above



Hon. Chief Judge David Estudillo
(WDWA)

Confirmed 2021

- Private practice 1999-2015
 - Insurance defense, immigration law
- Grant County Superior Court Judge 2015-2021



Hon. Tana Lin (WDWA)
Confirmed 2021

- Washington DC Public Defender Service 1991-1995
- DOJ Civil Rights Division 1995-1999
- US Equal Employment Opportunity Commission 1999-2001
- Michigan Poverty Law Program 2001-2004
- Private practice 2004-2021
 - Class action cases



Hon. Mary K. Dimke (EDWA)
Confirmed 2021

- DOJ Fraud Section 2004-2007
- AUSA WDWA/EDWA 2008-2016
- EDWA Magistrate Judge 2016-2021



Hon. John Chun (WDWA)
Confirmed 2022

- Private Practice 2005-2014
 - Commercial litigation and employment litigation
- King County Superior Court Judge 2014-2018
- Washington COA, Div I 2018-2022



Hon. Jamal Whitehead (WDWA)
Confirmed 2023

- US Equal Employment Opportunity Commission 2010-2014
 - AUSA WDWA 2014-2016
 - Private practice 2007-2010, 2016-2023
 - Commercial litigation, employment law, class action
-


Reflections as a new judge: Helping you help us help you

- Clerkships: not just for newly graduated law students
- Briefs and exhibits: not for truffle hunting
 - “Judges are not like pigs, hunting for truffles buried in briefs.”
United States v. Dunkel, 927 F.2d 955, 956 (7th Cir. 1991).
- Local rules and chambers procedures: not just for fun
 - 2023 amended LCR 7 – word counts, not page limits
 - ABCs: Always Be [meeting and] Conferring
- Courtroom deputy: not a quasi-judge

Path to the bench

- Private practice 2008-2021
 - Indian law
 - Intellectual property and transactional work
 - Commercial litigation
- Northwest Intertribal Court System pro tem appellate judge 2013-2021
- Seattle University adjunct professor, Indian Law, spring 2020
- Commissioner, Washington State Gambling Commission, 2020-2021





“Policy of yes”

- 2020-2021: Mvskoke Reservation Protection Commission
- 2018-2021: Federal Bar Association Indian Law Section Conference Chair
- 2016-2021: Northwest Tribal Court Judges Association Board
- 2017-2019: Seattle Indian Health Board
- 2014-2017: WSBA Indian Law Section Board (chair 2015-2016)
- 2011-2016: Northwest Indian Bar Association Board

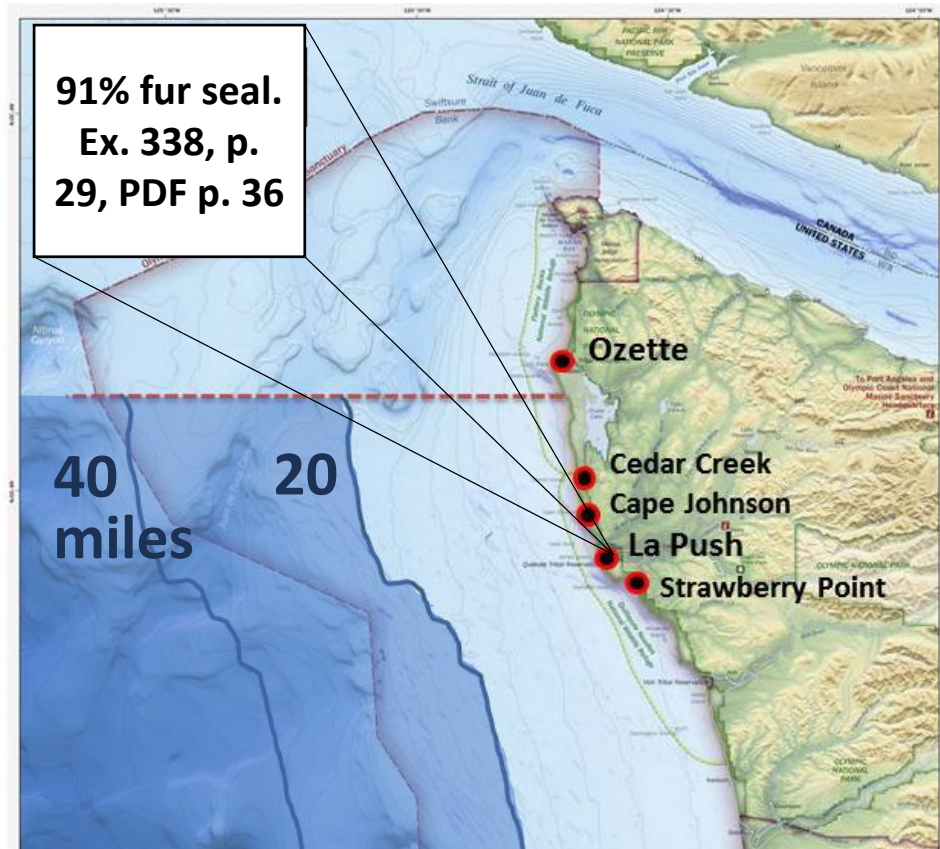
A pro bono story

- 2010 (second-year attorney):
Hoh Tribe in US v WA
 - “Welcome to the halibut wars”
- 2012: move to Foster Pepper
 - took over “the big case”
→ Trial before Judge Martinez in 2015

Hoh Indian
Tribe
Reservation

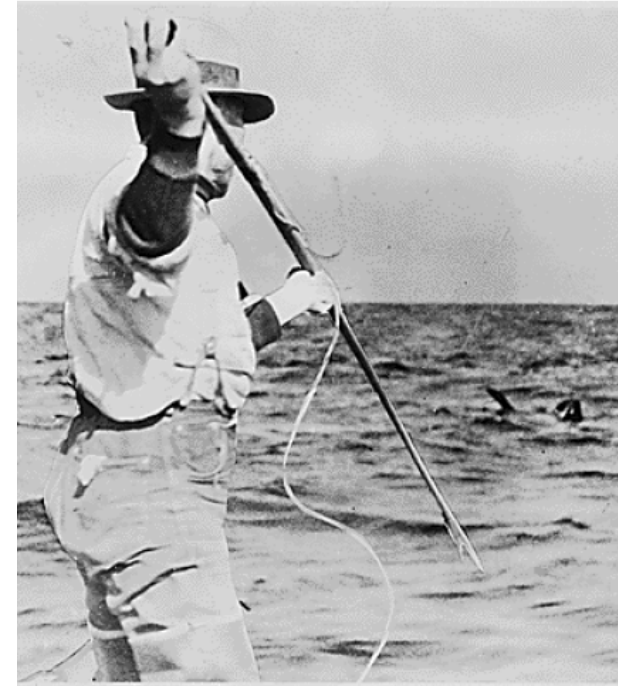
Olympic
Peninsula





Robert Lee: "Those Indians who were originally living at La Push engaged in sealing for many years.... These Indians **traded seal skins regularly** with the west coast (British Columbia) Indians... and **for trading purposes made regular visits to Neah Bay**, where they came in contact with the West Coast and other trading Indians. They originally traded for seals, hunting and fishing implements which other Indians owned or made, **up until the time that a white man's trading post was established at Neah Bay**. They then traded at this trading post until a store was later established at LaPush." Ex. B100.4.

Fur seals use the blue waters well beyond 20 miles in the Quinault-Quileute region



Would have to travel 30-60 miles to reliably obtain fur seals



Fur seal bones are found in large numbers at archaeological sites around the Olympic Peninsula's northwestern coast. The bones represent seals of both sexes and a range of ages. Photo by Design Pics Inc/Alamy Stock Photo

1250 words / About 6 mins

Biology Versus Bones: the Case of the Cape Flattery Fur Seal

The fishing rights of Olympic Peninsula tribes hinge on solving the identity of Cape Flattery's fur seals.

by Larry Pynn

Published April 3, 2017

Mystery of the Middens

- Contain skeletal remains of un-weaned pups, juveniles & bulls
- Historical documents: distinct differences in behaviour and pelage between the fur seals of Pribilofs & Cape Flattery
- Local rookery?
- Distinct species?

The Cape Flattery Fur Seal: An Extinct Species of *Callorhinus* in the Eastern North Pacific?

Susan J. Crockford¹, S. Gay Frederick², and Rebecca J. Wigen³

ABSTRACT. Fur seal skeletal remains have been found in many archaeological sites on the central Northwest Coast. Although these sites lie adjacent to the annual spring migration route of Northern fur seals (*Callorhinus ursinus*) as they head north to the Bering Sea, evidence is mounting that the archaeological remains came from a non-migratory population. Although this is not a novel suggestion, new developments have dictated another look at the issue. Measurements of modern rookery-aged juveniles compared to archaeological fur seal remains from western Vancouver Island verify that un-weaned pups were harvested, while a virtually unknown historical document describes distinct differences in behaviour and pelage between the fur seals of Cape Flattery and *C. ursinus*. Although we suspect the former might have been a distinct species and deserves a full-scale taxonomic investigation, the evidence provided here nevertheless demonstrates conclusively that a locally-breeding, non-migratory population of fur seal was once well-established on the central Northwest Coast.

RÉSUMÉ. Les restes de squelettes d'otarie à fourrure sont trouvés régulièrement dans la région centrale de la Côte du Nord-Ouest. Un nombre croissant de données archéologiques indiquent la possibilité d'une population non-migratoire d'otaries à fourrure de l'Alaska (*Callorhinus ursinus*), même si les sites archéologiques en question sont adjacents à la route migratoire printanière vers la mer de Béring. Cette idée n'est pas tout à fait nouvelle, mais les données récentes nous obligent à y jeter un nouveau regard. Les dimensions de jeunes otaries de la colonie de freux

sont comparées aux restes archéologiques d'otaries à fourrure de la partie ouest de l'île de Vancouver et ils confirment la capture de jeunes non-sevrés. De plus, un document ancien et presque inconnu décrit les différences de comportement et de pelage des otaries à fourrure de Cape Flattery et *C. ursinus*. Nous soupçonnons que les otaries à fourrure de Cape Flattery pourraient représenter une espèce distincte et qu'elles méritent une recherche taxonomique plus approfondie. Toutefois, les données présentées ici démontrent de façon concluante qu'il existait une population d'otaries à fourrure non-migratoire qui se reproduisait dans la région centrale de la Côte du Nord-Ouest.

Fur seal (*Callorhinus* sp.) skeletal remains have been found in many coastal shell midden archaeological sites on the west coast of Vancouver Island, British Columbia, and the northwestern portion of the Olympic Peninsula, Washington State. These remains typically represent the highest proportion of the mammalian remains recovered from the sites (Calvert 1980; Coates and Eldridge 1992; Eldridge and Fisher 1997; Fried-

¹corresponding author:
Pacific Identifications Inc., 6011 Oldfield Rd., R.R. 3, Victoria, BC V9E 2J4.
[scrock@net.net]
²Malaspina University College, Anthropology Department, Nanaimo, BC V9R 5S5.
[frederig@mal.bc.ca]
³University of Victoria, Department of Anthropology, P.O. Box 3050, Victoria BC V8X 3P5.
[rwigen@uvvm.uvic.ca]

CANADIAN JOURNAL OF ARCHAEOLOGY / JOURNAL CANADIEN D'ARCHÉOLOGIE 26: 152-174 (2002)

Andrew Trites at the 23rd Annual Marine Mammal Symposium (Mystery of the Juan de Fuca fur seal)



Porpoise Conservation Society

496 subscribers

Subscribe

👍 2



🔗 Share

🔖 Save



172 views Nov 30, 2015

Andrew Trites at the 23rd Annual Marine Mammal Symposium (Mystery of the Juan de Fuca fur seal solved)



Sections



The Washington Post
Democracy Dies in Darkness

Sign In



Subscribe

The Volokh Conspiracy • Opinion

Whales and seals are fish -- at least in an 1855 treaty

“[A] capacious understanding of this word [‘fish’] was in broad, popular circulation at the time that the treaty was negotiated, as evidenced by Webster's 1828 American Dictionary defining the word as ‘[a]n animal that lives in the water’

More to the point, it is clear from the linguistic evidence that the tribal signatories to the treaty drew no distinctions between groups of aquatic species and would have understood the term ‘fish’ to encompass at least those aquatic animals on which they relied for their subsistence purposes.”

United States v. Washington, 129 F. Supp. 3d 1069, 1114 (W.D. Wash. 2015), *aff'd sub nom. Makah Indian Tribe v. Quileute Indian Tribe*, 873 F.3d 1157 (9th Cir. 2017)

A pro bono story

- 2010 (second-year attorney): Hoh Tribe in US v WA
 - “Welcome to the halibut wars”
- 2013: NICS online database work
 - Became a tribal court judge



Northwest Intertribal Court System

The conversion of NICS' appellate reporters to an online database was greatly facilitated by pro bono counsel provided by the law firm of Foster Pepper PLLC. Many thanks to our Foster Pepper attorneys Joel Ard and especially Lauren J. King. And thanks to Wayfind (formerly Washington Attorneys Assisting Community Organizations) for recruiting Joel and Lauren to assist with the project.

Carrying on a legacy



I have been prosecuting attorney for Newoka district,
and served in the House of Kings and the House of Warriors
of the Creek Nation.

MUSCOGEE
WOMEN
IN
UNIFORM



Anna King, Korea, US Army,
served as surgical nurse who
landed with the invasion
force at Inchon, South Korea
to help and heal the wounded.



The Muscogee Nation @MuscogeeNation · Sep 30, 2022

The first Indigenous Federal Court Judge in Washington state history, is Muscogee (Creek) citizen **Lauren J. King!** Congratulations Judge King on your Investiture Ceremony, and for all you have done for the Muscogee (Creek) Nation and Indian Country!

[#MuscogeeProud](#) [#TIDE](#) [#DreamBig](#)

