

CANDIDATE COVER SHEET FOR KCBA JUDICIAL SCREENING
Information Taken from Washington State Governor's Office
Uniform Judicial Evaluation Questionnaire

NAME James Beecher

Business Address: 1601 Fifth Ave Ste 2200

Seattle, WA 98101

Business Email: _____

Position Sought:

- King County Superior Court
- Washington State Court of Appeals, Div.I
- Washington State Supreme Court

KCBA considers the responses to the following questions on the Washington State Governor's Office's Uniform Judicial Evaluation Questionnaire to be public information, which may be disclosed to persons other than the Judicial Screening Committee and, in the case of judicial elections, will be publicly available:

Position Sought, Name, Business Address, Business email
Professional History: #8, 9, 10, 11, 12, 13, 14, 15,
Educational Background: #16, 17
Professional Experience: #18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32
Community and Civic Activities: #33

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Professional History

8. Year admitted to practice law in Washington: **1964**
9. Employment History (in reverse chronological order):
- a. Start Date: **1970** End Date:
- Organization: **Hackett, Beecher & Hart**
Address: **1601 Fifth Avenue, Suite 2200, Seattle, WA 98101-1651**
Phone No.: **(206) 624-2200**
Position/Title: **Senior Partner**
Supervisor:
Nature of Practice (including frequency of court appearances): **Civil Trial and Appellate Practice with frequent court appearances.**
- b. Start Date: **1966** End Date: **1970**
Organization: **Office of Washington State Attorney General**
Address: **Olympia, WA**
Phone No.: _____
Position/Title: **Senior Trial Attorney**
Supervisor: **John Martin**
Nature of Practice (including frequency of court appearances): **Assigned to the Department of Labor & Industries. Frequent court appearances.**
Reason for leaving: **Entering Private Practice.**
- c. Start Date: **1965** End Date: **1966**
Organization: **Safeco Insurance Company**
Address: **Seattle, University District Headquarters**
Phone No.: _____
Position/Title: **Trial Attorney**
Supervisor: **Bruce Maines**
Nature of Practice (including frequency of court appearances): **Defense of Safeco insured. Frequent court appearances.**
Reason for leaving: **Better offer from the Attorney General.**
- d. Start Date: **1964** End Date: **1965**
Organization: **Office of Seattle City Attorney**
Address: **Municipal Building, Seattle, WA**
Phone No.: _____
Position/Title: **Assistant City Attorney**
Supervisor: **John Harris**
Nature of Practice (including frequency of court appearances): **Prosecutor in Municipal and Superior Courts.**
Reason for leaving: **To obtain civil trial experience.**

Please continue, if necessary, on a separate piece of paper in the above format as needed.

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10. Please 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.

**Washington State Courts – 1964;
Federal District Court for Western Washington – 1964;
Ninth Circuit Court of Appeals – 1964;
Federal District Court for Eastern Washington – 1994; and
U.S. Supreme Court – 1990.**

11. 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.

**Washington State Bar Association;
King County Bar Association;
American Bar Association;
Washington Defense Trial Lawyers;
Northwest Insurance Coverage Association; and
American Board of Trial Advocates.**

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

13. If you have ever been a judge, please identify any court committees on which you have served or administrative positions you have held. Please state the dates of service for each.

14. Please list up to five of your most significant professional accomplishments. (If applicable, please provide the case and court name and the citation if a case was reported (and copy of the opinion).

Pro Bono pursuit of release of mentally handicapped mother from long prison sentence. Resulted in the multi-week hearing which shattered the myth of the "Wenatchee Sex-Ring" and led to the release from prisons of dozens of mentally and socially handicapped victims of police abuse and hysteria.

Obtaining record jury verdicts in three counties including what was believed to be the largest verdict in the state.

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15. Please summarize up to eight of the most significant matters that you participated in as an advocate. Please include the dates of your participation and the reason each was significant to you. Please provide the citation if a case was reported. If you have been a judge, please include some cases that have been tried before you.

RSR v. East Asiatic, Court of Appeals unpublished decision – WL 242490 (1997). Represented recycling company against Denmark's largest company for fraudulent price manipulation in acquiring its property on Harbor Island. The \$19.7 million verdict was believed to be a state record.

Lewis River v. Scott Seed, 120 Wn.2d 712 (1993). Represented sod farmer against seller of grass seed that was unsuitable for local climate, setting verdict record for Cowlitz County.

ABC v. McCormick & Dodge Represented software developer on infringement claims setting verdict record for Whatcom County in approximately 1990.

Daubenspek v. Stone Refrigeration Company and ***CA Warehouse v. Stone Refrigeration Company*** Successfully defended local refrigeration company against multimillion dollar claims for refrigeration failure on fish processing ship in Alaska and loss of entire warehouse of apples in Yakima due to refrigeration failures. Both cases were in the late 1980's.

Sisco Landfill litigation Representing landfill owners against several large corporations and insurance companies seeking to fund multimillion dollar environmental clean-up of properties. This case is now in process.

Other significant cases would include the West Seattle Bridge destruction, Kingdome and Grain Terminal construction failures, the Wenatchee "sex-ring" litigation, and Western Processing and Harbor Island Environmental litigation.

Educational Background

16. Please list all undergraduate and graduate (non-law school) colleges and universities attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

University of Puget Sound	1958 – 1961	Bachelor of Business Administration
College/University	Dates of Attendance	Degree

17. Please list all law schools attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

University of Washington	1961 - 1964	Juris Doctor
Law School	Dates of Attendance	Degree

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Professional Experience

18. Please summarize, briefly, the general nature of your current law practice.

Civil trial and appellate practice.

19. If you are in practice, please describe your typical clients and any areas of special emphasis within your practice.

Typical clients are individuals, businesses and insurers involved in insurance coverage disputes. My work is approximately equally divided between representing plaintiffs and defendants.

20. If your present law practice is different from any previous practice, please describe the earlier practice, including the nature of your typical clients and any area of special emphasis within your practice.

My first legal position was as a prosecutor in the Seattle City Attorneys Office. This was followed by a position as house counsel at Safeco defending its insureds. In the Attorney General's Office I was assigned to the Department of Labor & Industries where I handled workman compensation cases and premium disputes before the Board of Industrial Insurance Appeals, Superior Courts and the Supreme Court. My private practice has predominately involved a wide variety of insurance related disputes. During the last 20 years or so, my insurance related cases have been fairly equally balanced between working for insurance companies and fighting against insurance companies.

21. Within the last 5 years, did you appear in trial court:

Regularly Occasionally Infrequently

22. Within the last 5 years, did you prepare appellate briefs and appear before appellate courts:

Regularly Occasionally Infrequently

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

Regularly Occasionally Infrequently

24. Career Experience

(a) What percentage of your appearances in the last five years was in:

(1) Federal appellate courts	_____	%
(2) Federal trial courts	<u>10</u>	%
(3) State appellate courts	<u>10</u>	%
(4) State trial courts	<u>80</u>	%
(5) Municipal courts	_____	%
(6) District courts	_____	%
(7) Administrative tribunals	_____	%

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(8) Tribal courts	_____ %
(9) Other	_____ %
TOTAL	100%

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

(1) Civil litigation (excl. family law)	90 _____ %
(2) Criminal litigation	_____ %
(3) Family law litigation	_____ %
(4) Non-litigation	10 _____ %
TOTAL	100%

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

(1) Jury trials	90 _____ %
(2) Non-jury trials	10 _____ %
TOTAL	100%

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

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% Jury</u>	<u>% as the Arbiter</u>
100	Municipal	<u>100%</u>	<u>- 0 -</u>	<u> </u>
20	State Dist.	<u>100%</u>	<u>5%</u>	<u> </u>
300	State Superior	<u>99%</u>	<u>95%</u>	<u>less than 1%</u>
8	Federal Dist.	<u>90%</u>	<u>80%</u>	<u> </u>
100	Administrative	<u>Team of AAG's</u>	<u>- 0 -</u>	<u> </u>
	Tribal Courts	<u> </u>	<u> </u>	<u> </u>
40	Other (Arbitrator or Umpire)	<u> </u>	<u> </u>	<u>100%</u>

- (e) Briefly describe no more than five significant litigation matters that you directly handled as the sole counsel. For each, please provide the name and telephone number of opposing counsel, the name of the judge or other judicial officer, and the citation (if applicable).

***RSR v. East Asiatic* — Fraudulent inducement. Opposing Counsel: Michael King at (206) 574-6661. Judge: Shannon Wetherall (retired). Court of Appeals unpublished decision – WL 242490 (1997).**

***ABC v. McCormick & Dodge* — Software infringement. Opposing Counsel: James Uhlir at (206) 682-8100. Judge: Forrest (deceased).**

Western Processing Environmental cases — CERCLA liability. Opposing Counsel: Mark Schneider at (206) 583-8627. Judge: Walter McGovern.

***Lewis River v. Scott* — Product liability. Opposing Counsel: Lory Lybeck at (206) 230-4255.**

***Cameron v. Woodley* — Legal malpractice. Opposing Counsel: John Erlick at (206) 296-9345. Judge: Sharon Armstrong.**

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

None.

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

Frequent experience as an expert witness has allowed me to view legal proceedings from the perspective of a witness.

26. 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.

The Law Firm of Hackett, Beecher & Hart, Inc. P.S. As principal shareholder and President for many years I have been involved in keeping eight to twelve lawyers plus staff working together as a team. If elected it would be necessary for me to resign.

27. 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.

Judicial Interest and Experience

28. In 50 words or less, please describe why you should be appointed/elected and are seeking a judicial position.

My opponent is seeking a fourth term. A new, more experienced member would be in the best interest of the Court. I will attempt to modernize court rules and procedures and work to reduce the number of fragmented opinions which have become common with the present Court.

29. In 50 words or less, please describe your judicial philosophy.

Utmost restraint in "making" law. Aggressive in assuring prompt, equal access and treatment of all litigants. Unbiased application of laws. Clear, concise and narrow decisions readily understood by the litigants and the public.

30. Have you ever held a judicial office or have you ever been a candidate for such office?
Yes / No. If you answered "yes", please provide details, including the courts involved, whether elected or appointed, and the periods of your service.

No.

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31. Have you ever held public office other than a judicial office, or have you ever been a candidate for such an office? Yes. If you answered "yes", please provide details, including the offices involved, whether elected or appointed, and the length of your service.

**Assistant Seattle City Attorney – As prosecutor in Municipal and Superior Courts for 1 year.
Assistant Attorney General – As Senior Trial Attorney for 4 1/2 years.**

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

In the early 1970's, I twice served as a Judge Pro Tem in King County Superior Court on appeals from the Board of Industrial Insurance Appeals. The attorneys included Eugene Aaron and Charlie Bush.

Arbitrator in more than 20 UIM cases, serving as a single arbitrator or a neutral third arbitrator and have acted a neutral umpire in at least 10 insurance loss appraisals. Attorneys include: Don Horowitz, Tom Lether, William Wood, Phil Welchman, Hal Thurston, Richard Platte, Bill Height, and Bud Fallon.

Community and Civic Activities

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

Coached University Prep Mock Trial Teams for six years through 2000.

Judge of Moot Court Appellate Arguments at University of Washington Law School approximately six times in the last eight years.

Assisted in coaching Moot Court Team at Seattle University Law School last year.

Contributed hundreds of hours of pro bono work on Personal Restraint Petition and Hearing which shattered the myth of the "Wenatchee Sex-Ring" and resulted in the release from prison of dozens of falsely convicted poor and mentally disabled victims of police abuse.
