

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

NAME: Anne L. Ellington

Position Sought: Washington State Court of Appeals, Div I

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: 1974

9. Employment History (in reverse chronological order):

a. Start Date: May 9 1995 End Date: current
Organization: Washington State Court of Appeals
Address: 600 University St Seattle 98101
Phone No.: 206 464 6046
Position/Title: Judge
Supervisor: n/a
Nature of Practice (including frequency of court appearances):
Sitting judge
Reason for leaving: n/a

b. Start Date: November 1984 End Date: May 9 1995
Organization: King County Superior Court
Address: 516 3d Ave, Seattle 98104
Phone No.: 206 296 9095
Position/Title: Judge
Supervisor: n/a
Nature of Practice (including frequency of court appearances):
Judicial
Reason for leaving: Appointed to Court of Appeals

c. Start Date: Fall 1978 End Date: November 1984
Organization: Ellington and Johansen
Address: 95 Yesler, Seattle WA 98104
Phone No.: 622 8953
Position/Title: Partner
Supervisor: n/a
Nature of Practice (including frequency of court appearances):
Discrimination, personal injury, family law, small business and nonprofits. Many court appearances in family law, some in personal injury and nonprofits, none in small business (except a few appearances in bankruptcy court for small creditors).
Reason for leaving: Election to Superior Court

d. Start Date: Fall 1975 End Date: Fall 1978
Organization: Washington State Attorney General
Address: 1411 4th Ave Seattle 98101
Phone No.:?
Position/Title: Assistant attorney general
Supervisor: Morton Tytler
Nature of Practice (including frequency of court appearances):
Enforcement of discrimination laws, representation of State Human Rights Commission –most appearances were public hearings (5-6), appeals were to Superior Court (perhaps 2-3)

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Reason for leaving: To start my own practice.

e. Start Date: August 1974 End Date: August 1975
Organization: State Supreme Court
Address: Temple of Justice, Olympia
Phone No.: ?
Position/Title: Law Clerk
Supervisor: Justice Orris Hamilton
Nature of Practice (including frequency of court appearances):
Clerkship, no court appearances
Reason for leaving: End of clerkship

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.

9th Circuit, 1975
Western District WA 1975
Eastern District WA 1978

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.

Presently none, except judicial member of WSBA. Please see attached resume for past activities.

12. Are you in good standing in every bar association of which you are a member? Yes / No. 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.

Please see attached.

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).

I consider my significant accomplishments to be a reputation as a capable and fair judge; finally achieving security for the King County Superior Court after shootings in 1995; election as the first woman Presiding Judge in Superior Court; some success in enhancing access to justice; and the opportunity to mentor other women and increase diversity in the bar and on the bench.

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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.

As an advocate: This is difficult because I have been a judge since 1984. As an AAG I was involved in several "groundbreaking" discrimination cases, but these did not result in published decisions. For example we were able to prevail (on appeal in Superior Court) against a challenge to the constitutionality of using white testers to check on rental status where non-white applicants had been turned away. We were able to persuade several police departments that women should be hired as officers. We prevailed in a challenge against women guards at male prisons. In private practice I tried several discrimination cases, one for the defense involving 4-week jury trial. As a Superior Court judge I presided over many difficult cases, including State v Peerson, a death penalty case (52 Wn App 755); Wright v Engum, a wrongful death case involving first interpretation of RCW 70. 84.040 (124 Wn 2d 343); Innis Arden v Binns, a class action involving view easements and long special master process thereafter; Cox v General Motors, a products liability case (grant of new trial affirmed in unreported decision); and State v Swan, a child sex abuse case (114 Wn 2d 613).

On the Court of Appeals I would identify some cases of significance:

Robinson v City of Seattle, 102 Wn App 795 (constitutional challenge to pre-employment drug testing); Architectonics v Khorram, 111 Wn App 725 (discovery rule for contracts cases, rationale adopted by Supreme Court in 1000 Virginia v Verteks, ; King v Olympic Pipeline, 104 Wn App 338 (civil discovery, pending criminal charges); Sitton v State Farm, 116 Wash.App. 245, 63 P.3d 198(2003) (class action procedure); Bellevue School Dist. v. E.S., 148 Wash.App. 205, 199 P.3d 1010 (2009)(requiring appointment of counsel for juveniles in truancy proceedings).

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 Colorado 1964-69 BA (English)

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

University of Washington 1971-74 JD

Professional Experience

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

I am a judge.

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

N/A

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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.

N/A

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

N/A

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

N/A

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

N/A

24.

Career Experience

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

(1) Federal appellate courts	_____ %
(2) Federal trial courts	_____ %
(3) State appellate courts	<u>100</u> %
(4) State trial courts	_____ %
(5) Municipal courts	_____ %
(6) District courts	_____ %
(7) Administrative tribunals	_____ %
(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)	_____ %
(2) Criminal litigation	_____ %
(3) Family law litigation	_____ %
(4) Non-litigation	_____ %
TOTAL	100%

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

(1) Jury trials	_____ %
(2) Non-jury trials	_____ %
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 where 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>
10	Municipal	100	0	
2	State Dist.	100		
15?	State Superior	75		
0	Federal Dist.			
5	Administrative	60		
0	Tribal Courts			
0	Other			

- (e) State the number of appellate cases during your total 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).

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% as the Arbiter</u>
2	State Superior Court	50	
2	WA. Div. I COA	100	
	WA. Div. II COA		
	WA. Div. III COA		
1	WA. Supreme Court	100	
	Fed. Cir. COA		
	U.S. Supreme Court		

- (f) 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).

I am unable to provide case or counsel names because I last appeared in court as a lawyer in 1984.

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

N/A

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

n/a

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.

n/a

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.

Please see attached resume.

Judicial Interest and Experience

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

I am hardworking, practical and fair, with a reputation for integrity, intelligence, courage and compassion. My writing is clear and direct. I aim for the orderly development of the common law and courts that are accessible and responsive. And-- much remains to be learned, much remains to be done.

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

I believe courts are the centerpiece: without independent judges, we have no freedom. It is the judges who protect individual rights and ensure peaceable resolution of disputes. To do this, judges must work hard, listen well, and respect both the litigants and the rule of law.

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.

King County Superior Court, elected 1984.
Washington State Court of Appeals, appointed 1995 and elected 1995, 1997 and 2003. I continue to serve on the court.

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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 / No. If you answered "yes", please provide details, including the offices involved, whether elected or appointed, and the length of your service.
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.

I acted as an arbitrator while in private practice and conducted numerous settlement conferences while a Superior Court judge. I have no records of dates or counsel.

Community and Civic Activities

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

Please see attached resume.

~~Signature and Date~~

ANNE L. ELLINGTON
Judge, Washington State Court of Appeals
600 University Street, Seattle 98101

Education

1969 B.A., University of Colorado (English)
1974 J.D., University of Washington

Employment History

1995 to present Judge, Washington State Court of Appeals (Division One)
1984 to 1995 Judge, King County Superior Court
1978 - 1984 Ellington and Johansen, Attorneys at Law
1975 - 1978 Assistant Attorney General
 Washington State Human Rights Commission
1974 - 1975 Law Clerk
 Justice Orris Hamilton
 Washington State Supreme Court

Professional Activities

1977 - 1979 KCBA Young Lawyers Section Board
1978 - 1980 Washington Women Lawyers
 Statewide Board of Directors Vice President
1978 - 1979 Chair, KCBA Bar Exam Tutorial Project
1978 - 1984 Northwest Women's Law Center
 Secretary and Board Member 1978-9; Legal Committee
1980 - 1984 Special District Counsel, WSBA

1984 to 1995 King County Superior Court

Presiding Judge, 1994 to 1995

Assistant Presiding Judge, 1989 to 1994

Committees:

Member, Executive Committee, 1987 to 5/8/95

Chair, Family Law Pro Se Work Group, 2/94 to 5/95

Chair, Mental Illness Committee, 1986 to 1988

Chair, Mental Illness Benchbook Committee, 1986 to 1990

Chair, Human Relations Committee, 1986

Chair, Interbranch Planning/Coordinating Committee, 1989 to 5/95

Co-Chair, Plan Drafting Committee, Delay Reduction Task Force, 1987 to 1989

Chair, Judges' Budget Committee, 1989 to 2/1/94

Chair, Volunteer Programs Review Committee, 1989 to 1990

Chair, Sealed Adoption File Committee, 1984 to 1989

Committees: Family Law, Arbitration, Long Range Planning, Criminal Law, Juvenile Justice, Delay Reduction Implementation Committee, Volunteer Programs Committee, Mental Illness Committee, Sealed Adoption Files Committee, Regional Justice Center Coordinating Committee, Regional Justice Center Interbranch Operations Committee, Personnel Committee

1986 - 1992	Washington State Sentencing Guidelines Commission -Member, 1986-87 -Chair, 1987-92
1987 to 1990	King County Delay Reduction Task Force Co-Chair, Plan Drafting Committee
1989	Governor's Task Force on Community Protection -Chair, Committee on Current Systems
1992	Governor's Transition Task Force on Criminal Justice
1992 to 1995	King County Intermediate Sanctions Task Force
1992 to 1994	University of Washington Law School Alumni -Board of Trustees; Dean's Advisory Committee
1992 - 1995	National Center for State Courts -Commission on Trial Court Performance Standards
1999 - 2003	Member, Minority and Justice Commission Chair, Education Committee Bibliography Project
2000 - 2003	Medic One Foundation Board
2000- present	Chair and current Member: Impediments to Justice Committee of the Access to Justice Board

Honors

Election as Presiding Judge, King County Superior Court, 1994 to 1995
Judge of the Year, 1992, Washington State Trial Lawyers Association
Outstanding Judge, 1994, King County Bar Association
Outstanding Judge, 1994, Washington Women Lawyers
Judge of the Year, 2003, National Association of Women Lawyers
UW Law School Alumni Service Recognition Award 1999
UW Law School Law Women's Caucus Distinguished Alumna Award 2006
Judicial Leadership Award, 2006, Access to Justice Board
White Ribbon Award, 2006, Citizens for People with disAbilities

Publications

Published opinions are numerous.

Served as editor of "Ensuring Equal Access for People with Disabilities: A guide for Washington Courts." Other publications are several but are not scholarly, *e.g.*, Profiles in Bar Bulletin (Stan Stone, Faith Enyeart (Ireland)), editor and contributor, Women and the Law in Washington State (1977), Judges' Mental Illness Benchbook.