

Judith Eiler  
Questionnaire

King County District Court

The Governor's Office's  
Uniform Judicial Evaluation Questionnaire

**Professional History**

8. Year admitted to practice law in Washington: 1980 \_\_\_\_\_

9. Employment History (in reverse chronological order):

a. Start Date: 1979 \_\_\_\_\_ End Date: 1981 \_\_\_\_\_

Organization: Stead Vogel \_\_\_\_\_

Address: firm no longer exists \_\_\_\_\_

Phone No.: " " " " \_\_\_\_\_

Position/Title: associate attorney/Rule 9 intern \_\_\_\_\_

Supervisor: Robert Stead \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

As a rule 9 intern and later as an associate I appeared in court about once a month either on the Superior Court motions calendar or in District Court. I represented the firm on all Ex Parte matters in King and Pierce Counties. \_\_\_\_\_

Reason for leaving: I formed my own law firm. \_\_\_\_\_

b. Start Date: 1981 \_\_\_\_\_ End Date: 1985 \_\_\_\_\_

Organization: Eiler, Everitt & Rhodes \_\_\_\_\_

Address: firm no longer exists \_\_\_\_\_

Phone No.: " " " " \_\_\_\_\_

Position/Title: partner \_\_\_\_\_

Supervisor: n/a \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

I appeared regularly in court for Superior Court motions and trials. Much of my work was in Wills, Estates, Trusts and guardianships, as well as, personal injury and some criminal defense. \_\_\_\_\_

Reason for leaving: Firm separated (one partner became a stock broker the other joined a new firm, I formed a new partnership \_\_\_\_\_

c. Start Date: 1985 \_\_\_\_\_ End Date: 1990 \_\_\_\_\_

Organization: Eiler & Pridgeon \_\_\_\_\_

Address: firm no longer exists \_\_\_\_\_

Phone No.: " " " " \_\_\_\_\_

Position/Title: partner \_\_\_\_\_

Supervisor: n/a \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

Civil litigation in personal injury, trusts, guardianships, some criminal defense. I was a pro tem for King County Superior Court and an Arbitrator for the Mandatory Arbitration in King County. I was a pro tem for the District Court and for several municipal courts. \_\_\_\_\_

Reason for leaving: Firm merged with a Tacoma firm \_\_\_\_\_

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d. Start Date: 1990 \_\_\_\_\_ End Date: 1992 \_\_\_\_\_  
Organization: Bonneville, Viert, Morton & McGoldrick \_\_\_\_\_  
Address: P.O. Box 1533, Tacoma WA 98401-1533 \_\_\_\_\_  
Phone No.: 253-627-8131 \_\_\_\_\_  
Position/Title: partner \_\_\_\_\_  
Supervisor: n/a \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):

General civil litigation, some insurance defense, some criminal defense. I regularly appeared in King County Superior Court and in Pierce County Superior Court as well as District Courts in both counties. I was a King County Superior Court pro tem, and District Court pro tem as well as for a number of municipal courts. I was a panelist for the King County Mandatory Arbitration and served as a temporary prosecutor in the municipal courts of Algona and Pacific. I was conflicts counsel for the public defense in King and Pierce counties. \_\_\_\_\_

Reason for leaving: I was elected to the Federal Way District Court \_\_\_\_\_

e. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):

Reason for leaving: \_\_\_\_\_

f. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):  
Reason for leaving: \_\_\_\_\_

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

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.

United States Federal Court, Western Division, October, 1980 \_\_\_\_\_

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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. \_\_\_\_\_

South King County Bar Association:

President: 1986 - 87  
Vice President: 1985 - 86  
Treasurer: 1984 - 85  
Secretary: 1995 - 98  
Trustee: 1993 - 95  
Liaison to WSBA: 1988 - 92 and 199 - 98

King County Bar Association:

Trustee: 1988 - 92  
Liaison to WSBA: 1988 - 92

Washington State Bar Association:

Bar Convention materials co-author, "Luke Lawalker: Law Wars: A Review of  
New Case Law," 1983  
Bar Convention materials co-author, "Blackstoke: Lord of the Lawyers: A  
Review of New Case Law," 1984,  
Speakers Bureau, 1988 - 92,  
Law School Liaison Committee, 1989 - 92, Chair, 1992.

American Bar Association, Judicial Division:

Judicial Outreach Liaison for the National Highway Traffic Safety  
Administration, 2004 - 2007, for Washington, Oregon, Idaho and Alaska  
(Northwest Region)  
Board of Trustees, National Conference of Specialized Court Judges, elected 2007  
Representing District 9: Washington, Oregon, Idaho, Alaska, Nebraska,  
Wyoming and Montana

Federal Way Chamber of Commerce, member 1980 - 1988

Federal Way Women's Network, member 1984 - 99

Founding member, 1984, President, 1990  
Vice President, Programs, 1989 - 90  
Board Member, 1989-91 and 1996 - 97

American Association of University Women, Federal Way Branch, member 1974 - present

Program Chair, 1982 and 1996 - 97, Secretary, 1995  
1998 recipient of a named gift to the Eleanor Roosevelt Fund

Rotary International, member 1990 - 92

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

yes \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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.

King County District Court:

Executive Committee, 1993, 1996, 1999, 2000 and 2002  
Court Rules Committee, 1995, 1999 to 2001, Chair 1996, 2005 – 06, 2009 – to present  
Governance Committee, 1997  
Court Facilities, Chair, 1997  
Committee, King County Master Plan Taskforce, 1996  
Redistricting Committee, 2001 – 02  
Personnel Committee, 2003- 05  
3-Judge Panel for Motions of County-wide Significance, 2003  
Electronic Court Records Committee, 2003 - 04  
Budget Committee, 2006 – 09  
Civil Ex Parte Department, 2009 - present

District & Municipal Court Judges Association:

Board of Trustees, 1994 - 95  
Education Committee 1995-96, Chair 1997 - 98  
Assistant Dean, Judicial College, 1996 - 97  
Education Assistance Committee, 1996 - 98  
Washington State Bar Association Liaison, 1997 - 2004  
Conference Committee, Chair 1994

Washington State Bar Association:

Professional Development Committee, 2002 - 03  
Professional Development Implementation Committee, 2003 – 2004  
Judicial Selection Task Force, 2006 – 2008

American Bar Association:

Judicial Division, Traffic Court Committee, 2004 – 07  
Judicial Division, Executive Committee, 2007 to present

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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).

1. From 2004 – 2007, I was named jointly by the National Highway Traffic Safety Administration (NHTSA) and the American Bar Association (ABA) as a Judicial Outreach Liaison (JOL). NHTSA and the ABA engaged in a national search and named 4 JOLs. I worked in the States of Washington, Oregon, Idaho and Alaska on a judge-to-judge, court-to-court basis helping to establish DUI/Drug Courts. I worked on weekends and on my vacation time so that I did not have to take time off from my assigned work with the District Court. I worked on a national and state level to bring courts as large as Multnomah County, Oregon, Anchorage, Alaska and Spokane, Washington and as small as Clallam County, Washington and in Bethel, Alaska. I was renewed annually through 2007. It was rewarding and a welcome change from calling balls and strikes to working within the justice system in a collaborative method with the judiciary, prosecutors, defense, probation and treatment services to produce healthy, drug/alcohol free citizens for our communities. Therapeutic Courts are not our mainstream, everyday courts. But, they do produce quantitative results with a hardcore population.

2. In 1984 I joined with a group of other women in establishing the Federal Way Women's Network (FWWN). At the time the Rotary, Kiwanis and other men's only clubs excluded women from business networking. Because of this exclusion a group of us decided to help the women in Federal Way. We picked a date, made arrangements with a hotel for meeting space at our own expense. We then sent out invitations to every woman we knew in the community. We thought we would be lucky to get 20 – 30 to attend our formational meeting. One Hundred and Fifty showed up! The organization flourished and grew to over 300 members. Our quarterly speakers ranged from Mary Gates, U of W Reagent to women whose businesses grew to be cover stories on *Money* magazine. I served as President in 1990 and sat on the Board of Directors for 13 years. By 1997 virtually all the men's only clubs accepted women members, the Chamber of Commerce was headed by a woman president, all 3 of our state elected officials were women and when Federal Way became a city in 1990 over half of the council members were women including the position of first mayor, and all of these women were members of the FWWN. Women and men who wanted to be elected to office came to our meetings. We drew more attendees to our meetings than the combined attendance of the Chamber of Commerce, the Rotary (both the morning and noon clubs) and the Lions clubs in Federal Way. In 1999 the Board and membership decided our work was done and we joyfully disbanded the Network sending our members out to other community organizations. I am proud of my participation in this grassroots movement for and by women.

3. I have been honored by Seattle University School of Law to teach as an adjunct professor of law two evenings a week during the Spring Semester. I teach Remedies. This class teaches law students the kinds of outcomes that the law will allow for injuries to people, personal property and real estate, as well as, injunctions which prohibit behaviors or require actions to be done. This is a civil upper division trial elective. My first year teaching this class I divided the class up into teams with the assignment of a collaborative effort to teach the class segments of a chapter in the textbook. Grades were both individual and for the group effort. My students were terrific. One of the groups did "Injunction Jeopardy" with a power point production matching the popular TV show, and prizes for the winners. Some of the groups gave power point programs with pop quizzes and group discussions with their class mates. Even though other traditional professors didn't think this would work, I wanted to push the envelope inside the traditional law school classroom and use some creative teaching techniques. When I got my student reviews back from the students after the class was over, 51% thought it was one of the best classes they had taken in law school. They liked the on-your-feet feel of learning and being creative. The remainder didn't like it at all. They didn't like doing presentations or teaching. They didn't like having part of their grade dependant on the others in their group and thought that the professor should teach all the classes all the time. There were no middle ground reviews, they either loved it or hated it. The following year I limited the students-as-teachers to only those who volunteered and then only for a limited number of slots so that those students who wanted to be on-their-feet would have the opportunity to teach and participate in learning in a collaborative and active manner. This time 90% of the reviews were rated as a 9 or 10 out of 10. I have continued to use the modified approach with excellent results. I really enjoy teaching this class. I use anecdotes from my courtroom and give insights as to courtroom practices that are successful and those that are not. In my last class, a student

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who had a philosophical difference with me still rated me in the 90% approval rating saying "viva *l'difference!*" This is high praise even from someone who disagrees with me. I enjoy seeing new young lawyers-to-be learning and developing.

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.

State v, Danielle: A secretary in my office was involved in a car accident that killed the other driver. After weeks of negotiation with the King County Prosecutors Office I convinced them not to file vehicular homicide charges. She was tried for Negligent Driving in District Court. Not only did I defend this young woman but I saw on a day-to-day basis how guilt, pain and frustration with the system can affect someone. In theory every attorney knows that "you can't win them all" but the pain of losing really hits home when the defendant is close to you. I learned the difference between the theory of losing and the reality of losing, up close and personal.

State v. Ward: A young woman I represented was charged with DUI. She hit an empty parked car, which damaged a fence in the process. The owner of the car and the fence went to the local newspaper and created an uproar. The paper did a series of articles on teen drinking focusing on this young woman's accident. The owner demanded restitution for the car beyond the blue book value. It was a 15 year old car. The damage consisted of a dent in the front quarter panel and scratches where it hit the fence. The car hadn't been driven in 3 years. The tires were rotting and weeds had even worked their way inside the car. The "victim" claimed the car had sentimental "value" since it had last been driven by her late husband. Further, she demanded "medical expenses" for calling her doctor because she was upset when she heard the car had been hit. She demanded the costs of long-distance calls to the Midwest to tell her relatives about the accident. She also canceled plane ticket reservations to a neice's wedding in Kansas because she was so "distracted" over the damages to her late husband's car. Then, she decided to go to the wedding at the last minute and re-bought tickets. The "victim" thought my client should pay for the new, high-priced tickets. The day of the trial the "victim" showed up with 6 of her relations. The prosecutor offered a plea bargain which we accepted. The "victims" demanded justice. The court found that sufficient restitution had been tendered and rejected. The press covered the matter only from the side of the alleged "victims" in a follow-up article. The lesson hit home that I can only do so much in a case like this. Sometimes the practice of law is just not enough to help your client completely.

Brown v. Sunar: In a series of related cases I sued Sunar Corp. for fraud and Consumer Protection Act violations. They installed solar panels in houses that did not work. The panels allowed heat to escape in the winter and drew heat into the houses in the summertime. At trial the plaintiff received the price of the panels, interest on the purchase price, buyout of the contract which held a Deed of Trust on her house, the costs of repairs  
CONTINUED ON SEPARATE SHEET

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**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.

Western Washington U. \_\_\_\_\_  
College/University \_\_\_\_\_ Dates of Attendance \_\_\_\_\_ Degree \_\_\_\_\_  
Pacific University \_\_\_\_\_ 1971 - 1972 \_\_\_\_\_ MA \_\_\_\_\_  
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.

UPS, now Seattle U \_\_\_\_\_ 1977 - 1980 \_\_\_\_\_ JD \_\_\_\_\_  
Law School \_\_\_\_\_ Dates of Attendance \_\_\_\_\_ Degree \_\_\_\_\_  
\_\_\_\_\_  
Law School \_\_\_\_\_  
\_\_\_\_\_ Dates of Attendance \_\_\_\_\_ Degree \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Professional Experience**

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

Currently I am a District Court Judge, assigned to the West Division (Seattle courthouse) as the Chief Civil judge and I am currently managing the pilot project for the Ex Parte Department to reduce the turn around time for these civil matters from 4 -6 months to a consistent 48 hour turn around.  
\_\_\_\_\_  
\_\_\_\_\_

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

n/a \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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	_____ %
(3) State appellate courts	_____ %
(4) State trial courts	_____ %
(5) Municipal courts	_____ %
(6) District courts	<u>100%</u> _____ %
(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)	<u>95%</u> _____ %
(2) Criminal litigation	<u>5%</u> _____ %
(3) Family law litigation	_____ %
(4) Non-litigation	_____ %
TOTAL	100%

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

(1) Jury trials	<u>30%</u> _____ %
(2) Non-jury trials	<u>70%</u> _____ %
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>
12 +	Municipal	100%	50%	
30+	State Dist.	100%	50%	
4	State Superior	100%	100%	
	Federal Dist.			
	Administrative			
	Tribal Courts			
	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>
	State Superior Court		
	WA. Div. I COA		
	WA. Div. II COA		
	WA. Div. III COA		
	WA. Supreme Court		
	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).

See question #15. It has been more than 18 years ago since I tried a case. I do not have the information about opposing counsel or the judges available to me.

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

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none \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Concurrent with my law partnership from January , 1989 to July 1991 I was a mediator/director with South Sound Mediation. Along with my partners we mediated dissolutions, child custody agreements, parenting plans, and business related disputes. \_\_\_\_\_

From 2004 to 2007 I was a Judicial Outreach Liaison for the ABA/NHTSA assisting judges in Washington, Oregon, Idaho and Alaska establishing DUI/Drug courts. \_\_\_\_\_

I have taught at Seattle University School of law. Consistently I am rated in the top 90% of adjunct professors. \_\_\_\_\_  
\_\_\_\_\_

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.

My husband and I own a corporation known as Eiler Enterprises, Inc. We are the only owners. This is my husband's business maintaining aircraft and teaching flight instruction. I have no actual participation in the corporation. I do not anticipate resigning. \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

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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.

South King County Bar Association:

President: 1986 - 87  
Vice President: 1985 - 86  
Treasurer: 1984 - 85  
Secretary: 1995 - 98  
Trustee: 1993 - 95  
Liaison to WSBA: 1988 - 92 and 199 - 98

King County Bar Association:

Trustee: 1988 - 92  
Liaison to WSBA: 1988 - 92

King County District Court, Chair Rules Committee, 1996

Chair, Civil Ex Parte Department

District & Municipal Court Judges Assn., Trustee 1994 - 95

Education Committee, Chair, 1997 - 98

Judicial College, co-dean, 1996 - 97

Spring Conference Committee, Chair 1994

Federal Way Women's Network, member 1984 - 99

Founding member, 1984, President, 1990

Vice President, Programs, 1989 - 90

Board Member, 1989-91 and 1996 - 97

American Association of University Women, Federal Way Branch, member 1974 - present

Program Chair, 1982 and 1996 - 97, Secretary, 1995

1998 recipient of a named gift to the Eleanor Roosevelt Fund

**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've served as the Chief Civil Judge for Kent, Issaquah and Seattle. I'm known as a hardworking, efficient, experienced (18 years) judge in a high volume court. I'm described as a "tough but fair" and "on time and under budget" kind of judge. I'm also experienced in criminal matters.

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

I call balls and strikes. I have the courage to make hard decisions. I have the strength to know that being liked is not the same as accurately and efficiently "calling them as I see them." The umpire is not a friend/advocate; one side must leave with a loss.

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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.

Yes, I was elected to the Federal Way District Court in 1992 and have been re-elected to the District Court bench in 1994, 1998, 2002 and 2006 – 2010. \_\_\_\_\_

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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.

none \_\_\_\_\_

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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.

King County Mandatory arbitration Arbitrator 1985 – 1992

King County pro tem Superior Court Judge 1985 – 1992

King County District Court pro tem judge 1985 - 1992 \_\_\_\_\_

Algona Pacific Municipal Court Judge pro tem 1985 - 1990 \_\_\_\_\_

King County District Court Judge 1992 – present

King County Superior Court pro tem Commissioner (portability judge) 1999

King County Superior Court pro tem Juvenile Court pro tem 1994 - 1995 \_\_\_\_\_

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**Community and Civic Activities**

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

Participant in Student Court for Traffic Infractions for Skyline and Eastlake High Schools, Issaquah School District, 2006 -07, 2007 - 08  
Mokulele Elementary School, Hickham Air Force Base, Honolulu, Hawaii  
Courage to Live, Drinking/Driving Safety Program, Aug. 2, 2006  
Federal Way Chamber of Commerce, member 1980 - 1988  
Federal Way Women's Network, member 1984 - 99  
Founding member, 1984, President, 1990  
Vice President, Programs, 1989 - 90  
Board Member, 1989-91 and 1996 - 97  
American Association of University Women, Federal Way Branch, member 1974 - present  
Program Chair, 1982 and 1996 - 97, Secretary, 1995  
1998 recipient of a named gift to the Eleanor Roosevelt Fund  
Rotary International, member 1990 - 92