

Ketu Shah
Questionnaire

King County District Court

Professional History

8. Year admitted to practice law in Washington: 1995

9. Employment History (in reverse chronological order):

a. Start Date: October 2007 End Date: Present

Organization: King County District Court

Address: 516 Third Avenue, Room 1034, Seattle, Washington 98104 (Office of Presiding Judge)

Phone No.: 206.205.2820

Position/Title: Judge Pro Tempore

Supervisor: Presiding Judge Barbara Linde

Nature of Practice (including frequency of court appearances):

Preside over criminal and civil cases including arraignments, pre-trial hearings, motions, jury trials, bench trials, sentencing, review matters, infractions, small claims matters, protection orders and anti-harassment orders. Have presided over State of Washington, City of Redmond, Woodinville, Duvall/Carnation, and Issaquah calendars. I have been a pro tem judge in Northeast District Court, Issaquah District Court, and the Regional Justice Center in Kent. I have appeared as a pro tem judge on an average of 5 days a month.

Reason for leaving: Current Employment

b. Start Date: January 2000 End Date: Present

Organization: Ketu Shah Law Offices

Address: 2135 112th Avenue NE, Suite 250, Bellevue, Washington 98004

Phone No.: 425.455.7611

Position/Title: Attorney at Law

Supervisor: Self-Employed

Nature of Practice (including frequency of court appearances):

Law practice emphasizing immigration law. Assist businesses and families in obtaining visas, permanent residency, and naturalization. Represented the City of Bellevue in prosecuting domestic violence cases. Created systems to vertically prosecute cases to ensure accountability and consistency. Worked with community members and police to create better system responses to domestic violence. Assist businesses and individuals in civil litigation matters ranging from contract dispute to employment law. Appeared in District Court weekly and Superior Court occasionally.

Reason for leaving: Current Employment

c. Start Date: January 1999 End Date: January 2000

Organization: Seattle City Attorney's Office

Address: 700 5th Avenue, Suite 5300, P.O. Box 94667, Seattle, Washington 98124

Phone No.: 206.684-7757

Position/Title: Assistant City Attorney

Supervisor: Bob Chung; Judith Shoshana

Nature of Practice (including frequency of court appearances):

Prosecuted all misdemeanor cases and domestic violence cases. Assigned to Domestic Violence Unit and worked with team members to effectively investigate and prosecute domestic violence cases. Represented the City Attorney's Office at community and local law enforcement meetings.

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Appeared daily in municipal court.

Reason for leaving: City of Bellevue opportunity

d. Start Date: March 1997 End Date: January 1999

Organization: Vancouver City Attorney's Office

Address: 210 East 13th Street, P.O. Box 1995, Vancouver, Washington 98668

Phone No.: 360.487-8500

Position/Title: Assistant City Attorney

Supervisor: Ted Gathe; Scott Sonju

Nature of Practice (including frequency of court appearances):

Prosecuted all misdemeanor cases with emphasis on domestic violence crimes. Helped create and implement first domestic violence court. Trained officers on domestic violence issues and investigations. Drafted ordinances and advised city departments. Advised and resolved code enforcement cases including building and zoning violations. Appeared in court two to three times a week.

Reason for leaving: Spouse transferred to Seattle.

e. Start Date: September 1994 End Date: March 1997

Organization: King County Superior Court

Address: 516 Third Avenue South

Phone No.: 206-296-9150

Position/Title: Law Clerk Bailiff for Judge Carol Schapira

Supervisor: Judge Carol Schapira

Nature of Practice (including frequency of court appearances):

Researched and prepared memoranda on issues including constitutionality of ordinances, discrimination claims, complex commercial litigation, personal injury, medical malpractice, and wrongful termination. Discussed with judge the legal merits of trial issues and motion arguments. Acted as liaison between judge, litigants, and public. Appeared in court daily.

Reason for leaving: Clerkship ended.

f. Start Date: January 1994 End Date: May 1994

Organization: Humphrey Institute of Public Affairs

Address: 130 Humphrey Center, 301 19th Avenue South, Minneapolis, Minnesota 55455

Phone No.: 612-626-8910

Position/Title: Law Clerk

Supervisor: N/A

Nature of Practice (including frequency of court appearances):

Researched legal issues concerning education policy.

Reason for leaving: Graduated law school.

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.

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None.

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.

Member of Washington State Bar Association - 1995 to Present

Member of South Asian Bar Association - 2002 to Present

Board Member of South Asian Bar Association – 2008 to Present

The Indus Entrepreneur (Seattle) – 2008 to Present

King County VAWA Committee – 2001-2007

Member of Asian Bar Association – 2000 to 2004

Washington Association of Municipal Attorneys – 1997-2000

Vice-president of Community Development for Network of Indian Professionals – 1995-1996

Co-President of Asian Law Students Association – 1993-1994

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.

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.

As a pro tem judge, I have not sat on any committees.

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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).
- a. Pro Tempore Judge. This was a tremendous accomplishment for the South Asian community, King County, and me. I am the first South Asian judge in King County and the State of Washington. After going through the judicial training, and then sitting on my first case, a tremendous sense of humility and responsibility overcame me because of the new role I represented for my community. I also believe King County is enriched by having a fresh new perspective on the bench.
 - b. Vertical Prosecution for DV cases in Bellevue. I helped create a domestic violence team prosecuting domestic violence cases for the City of Bellevue by adopting a vertical prosecution model. When hired, I was tasked to streamline the process of investigating, filing, and prosecuting domestic violence cases. That meant I would review cases early near filing, decide whether to proceed or not, and then manage the case to trial or resolution. I collaborated with the domestic violence detective, the victim advocate, our specially trained paralegal, and the District Court to create a quasi-domestic violence court to more efficiently handle cases. The implementation of this process led to a dramatic improvement in resolving cases favorably and holding batterers accountable. We also collaborated with the Eastside Domestic Violence Program (EDVP) to offer services to victims and make sure their perspective was considered in the process.
 - c. Appointment to GAAPCOM. Governor Locke appointed me to the Governor's Affirmative Action Policy Committee (GAAPCOM) in 1998. It was a great honor to be involved with policy in advising the Governor on a complex issue. We were tasked with evaluating state agencies and colleges on how they met the Governor's policy requirements and state law regarding affirmative action. We met monthly with agencies at their offices and discussed challenges and successes they had in implementing these policies. As a Board, we met quarterly and discussed overall what agencies could do to bridge their lack of representation with disparate groups. In this forum, it was especially rewarding because we were constructively working toward ending discrimination in all forms.
 - d. DV Trainings. Conducting statewide trainings of officers, prosecutors, and advocates with the Washington Coalition Against Domestic Violence (WSCADV). I was a faculty member for Team 3 statewide trainings that encouraged community-based advocates, prosecutors, and officers to work together in handling domestic violence cases. We had teams throughout the state with different issues and concerns. These trainings led to thought-provoking reflection for small and large jurisdictions on how they deal with domestic violence cases. I led substantive discussions on jury selection, pre-trial issues, working with advocates, and a mock trial.
 - e. Community Award by SABAW. I was awarded the South Asian Bar Association Community Award for my service to the South Asian Community. This was extremely gratifying to be acknowledged for the pro bono work I did for Chaya, the Hindu Temple Cultural Center, and other South Asian communities.

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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.

a. Pro Bono Case with Chaya. As the first volunteer attorney for Chaya, in 2003, I assisted a client in obtaining a U visa which was created by *statute* for victims of crimes but did not exist in *regulations*. The Congress passed a law authorizing this new type of visa but the Immigration Service did not create any regulations on how to obtain the visa. My client was abused by her spouse. When she and her two-year old child fled the relationship to make a new life for themselves, she had no status to work. Her visa status was dependent on her husband so she had no independent ability to stay in the country. If she returned to her home country, she would have been ostracized and pressured to return to the abusive relationship. I consulted with the National Immigration Project and the NOW Legal Defense Fund on how to obtain a U visa for my client. With their guidance, I was able to successfully obtain the visa for my client and her life was forever changed. With her new status, she went back to school, obtained a degree, started a career, relocated to another state, and now is in a safe place for herself and her child.

b. Pro Bono with Northwest Immigrant's Rights Project (NWIRP) and the University of Washington. I am the supervising attorney for obtaining VAWA immigration benefits for my client. I worked with the Immigration Family Advocacy Project and two University of Washington students in applying for VAWA benefits for my client and her children. This project took almost two years because of the difficulty in obtaining all the necessary documents. We had to coordinate with the Forks City Prosecutor, her pro bono attorneys in Clallum County, and the ever-changing regulations. It reminded me of how difficult these cases are but also how incredibly rewarding it is helping my client and her children create a new life.

c. Obtaining work visas for my client's workers. A client who has an international business wished to bring workers to the United States for a project. It was a new venture and time was critical. I prepared the application over a few days for seven workers and ultimately obtained six approvals almost immediately. We had to submit over 200 pages of supporting documents to substantiate the case. The seventh case became extremely complicated because the consulate in the home country did not believe my client had a legitimate business. We had to have the employee re-visit the embassy armed with another 100 pages of supporting documents. This case tested our patience because we met the legal requirements but after many long hours, we were able to secure the visa for my client. It demonstrated to me persistence and strong advocacy can lead to positive results.

d. Bellevue v. Blake -2007. I prosecuted the defendant for assaulting his elderly father. The defendant had a long history of alcohol related offenses and had .43 blood alcohol content in this incident. In pre-trial motions, I argued the prior alcohol related incidents were relevant to show the defendant's pattern of conduct. The judge agreed and after a jury trial, the defendant was convicted. After the trial, the parents thanked me but were concerned about what would happen to their son. They were anxious to obtain treatment for him. The case made me appreciate the difficulty elderly parents face in helping adult children whether it is for an addiction, criminal conduct, or mental illness.

e. Bellevue v. _____ -2003. This was a case I prosecuted that involved a defendant stalking his victim for over 20 years and over three states. The defendant had kidnapped their daughter when she was 4 months old. He was found and served time for that offense. While in prison, the victim moved to Bellevue and changed her name. For many years she lived a normal life but then the defendant found her and began stalking her and her daughter.

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I tried the case before a jury but it was an especially difficult case to prove because much of the stalking was contact that was nearly impossible to establish without having the now teenage daughter testify. I worked closely with the victim and she did not want to put her daughter through a trial. After many discussions, we went to trial without the daughter testifying and obtained a conviction. Ultimately, the victim was able to move and find safety again. It made me reflect on the purpose of our prosecution and how important safety of victims is in domestic violence cases.

f. Seattle v. _____ – 1999. I prosecuted a case where the defendant was charged with harassment of a bus driver. A jury who found he had threatened to shoot the driver and convicted the defendant. During sentencing, I discovered the defendant had prior convictions for animal cruelty. I presented this information that no one had discovered previously and the judge agreed with my recommendation for an enhanced sentence because of his history of violence. The bus driver was appreciative because this happened shortly after a bus driver had been shot and the bus drove off the Aurora Bridge.

g. Vancouver v. _____ -1998. I prosecuted a case where the victim refused to appear. We went forward with the trial even though everyone expected the City to dismiss the case. The jury convicted the defendant based on the evidence we had accumulated including the 911 tape, the defendant's admissions, and photographs. This was my first case to go to jury without the victim and gain a conviction. There were several motions to dismiss the case in pre-trial motions, and during the case itself. It was an extremely stressful case but very rewarding because of all the legal work we did to get the case before the jury.

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.

Whitman College College/University	1986-1990 Dates of Attendance	Bachelor of Arts Degree
College Year in Athens College/University	Spring 1989 Dates of Attendance	Study Abroad Degree

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

University of Minnesota Law School	1991-1994 Dates of Attendance	Juris Doctorate Degree
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Professional Experience

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

Law practice emphasizing immigration law. Currently, represent private clients on immigration, estate planning, and business matters. Assist individual and business clients in obtaining work visas, green cards, and citizenship in the United States. Develop and draft estate plans for clients to maximize planning objectives. Assist in review of contracts and advise on business formation issues as they relate to immigration issues. Litigate civil cases in employment law and personal injury.

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

Individuals and employers sponsoring immigrants.

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.

Tried over 180 cases to jury trial as a prosecutor with the City of Bellevue, City of Seattle, and City of Vancouver. Investigated cases, developed and created systems to properly and effectively prosecute domestic violence cases. Met monthly with local domestic violence advocacy group and police to identify and resolve system wide issues.

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

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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	15 %
(5) Municipal courts	5 %
(6) District courts	75 %
(7) Administrative tribunals	5 %
(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)	10 %
(2) Criminal litigation	60 %
(3) Family law litigation	_____ %
(4) Non-litigation	30 %
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 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>
80	Municipal	100	75	N/A
100	State Dist.	100	80	5
_____	State Superior	_____	_____	_____
_____	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	_____	_____

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- (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).

Bellevue v. Blake. A trial involving a defendant charged with assaulting his father. Josh Schaer (425.749.0333) represented the defendant and it was tried before Judge Janet Garrow in Bellevue District Court (206.205.5701)

Bellevue v. Howard – 2004: This was a case I prosecuted that involved a defendant who had abused his girlfriend. He had a pattern of behavior of assaulting his significant others. Prior bad acts were admitted and the Defendant was found guilty. Jann Zabel (425.334.4400) represented the defendant and it was tried before Judge Linda Jacke (206.296.3660).

State v. Salters – 2009: Presided as a pro tem judge for prosecution of DUI. Matt Pang (206.322.8400 x 3147) represented the defense and Grace Wiener (206.296.9074) represented the State. I presided over this case as a judge and it made me quite aware of the importance a judge plays in these proceedings. Through pre-trial motions, voir dire, and instructions, the judge played a critical role in maintaining a fair trial.

Bellevue v. Eichorn – 2003: Prosecuted and convicted a defendant who assaulted his wife. Neil Fox (206.624.9694 x 105) represented the Defendant and Ret. Judge Fred Yeatts (425.454.8509) presided. This was a heavily litigated case with pre-trial motions for prior bad acts, and complicated arguments about instructions. The lesser included crime of Simple Assault was challenged for its constitutionality.

Bellevue v. _____ - 2007: Prosecuted and convicted a defendant charged with violating a protection order. Saad Qadri (206.441.0900) represented the defendant and Judge Janet Garrow (206.205.5701) presided. This case was a challenge because there was very little evidence besides the victim's testimony and thus the case boiled down to convincing the jury that the victim's testimony was credible beyond a reasonable doubt.

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

I have appeared in immigration proceedings with the Executive Office of Immigration Review in several cases where my client's are contesting removal proceedings.

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

I am on the Board of Directors for Chaya and SABAW. With Chaya, I have developed confidentiality policies, employment policies, and advised staff on immigration issues. This experience has helped me communicate with non-attorneys in simple and understandable language which would directly transferrable into the courtroom in dealing with pro se litigants.

I also have worked with SABAW on different committees, the most recent being organizing our membership in providing pro bono services to indigenous and underserved communities. This work has been incredibly helpful in understanding the barriers litigants face in access to justice and access to the courts.

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.

Executive Committee for Chaya – 2005-2009
Co-Chair for Board of Directors of Chaya – 2006-2009
Committee member of JAJEC Rules Committee – 2008 to 2009
Committee member of ABAW Judicial Evaluations – 2000 to 2004
Board Member for Governor's Affirmative Action Policy Committee – 1998-2004
Former Vice-president of Community Development for Network of Indian Professionals
Former Co-President of Asian Law Students Association

Judicial Interest and Experience

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

The judiciary is the strongest when it is diverse and reflects the community that appears before it. My unique perspective as the first South Asian judge in King County would enrich the bench. My wide and diverse professional experience would enhance the resources of the court, providing a deeper and more complex bench.

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

The orderly resolution of disagreements is the core purpose of the judiciary. To accomplish this goal, respecting all litigants is paramount. The bench must be impartial, intelligent, and humane in its decisions, that is, be fair to all. When litigants receive a fair hearing, the judiciary is strengthened and civility is achieved.

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.

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.

No.

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.

Since 2007, I have been a pro tem judge Northeast District Court, Issaquah District Court, and the Regional Justice Center in Kent. I have appeared as a pro tem judge on average 5 days a month presiding over criminal and civil cases including arraignments, pre-trial hearings, motions, jury trials, bench trials, sentencing's, review matters, infractions, small claims matters, protections orders and anti-harassment orders. I have presided over State of Washington, City of Redmond, Woodinville, Duvall/Carnation, and Issaquah calendars. Dozens of attorneys have appeared before me but some of the most frequent are as follows:

Larry Mictchell – City of Redmond
Jill Klinge – City of Redmond
Pat Kozu – Stein, Lotzkar, and Starr
Stephen Lotzkar – Stein, Lotzkar, and Starr
Shawn McCully – Jacobsen Law Group
Mark Nelson – City of Woodinville
John Price – Law Office of John Price
Sandy Meadowcroft – Kenyon Disend
Angie Gionoli – State of Washington
Stacey Knightlinger – State of Washington
Matt Pang – SCRAP
Scott Ketterling – SCRAP
Mike Morris – SCRAP

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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.

Board Member of Chaya – 2005 to Present
Co-chair of Board for Chaya – 2006 to Present
Treasurer and Finance Committee , Chaya – 2005-2006
Volunteer for Board Members of Hindu Temple Cultural Center
Member of Seattle Gujarati Cultural Society
Member of Indian Association of Western Washington
Camp Counselor, Camp Bharat
Former Vice-president of Community Development for Network of Indian Professionals
Coach girls soccer team for 6 years
Coached Boys Club team in Rainer Valley
Math Tutor at West Mercer Elementary School
PALS volunteer at Island Park Elementary School
Volunteer, Gurukul Language School
Y-Princess participant