

Marcine Anderson

Questionnaire

King County District Court

The Governor's Office's
Uniform Judicial Evaluation Questionnaire

Bar Ratings:

King County Bar Association (2009) – Well Qualified (seeking new rating for election)
Washington Women Lawyers (2009) – Exceptionally Well Qualified
Loren Miller Bar Association (2009) – Exceptionally Well Qualified
Latina/o Bar Association of Washington (2009) – Exceptionally Well Qualified
Joint Asian Judicial Evaluation Committee (2009) -- Well Qualified (seeking new rating for election)
Q-Law (2009) – Well Qualified

Applications/Interviews for Endorsement:

32nd Legislative District (Kenmore, Lake Forest Park and Shoreline) Democrats (2010) – Endorsed
32nd Legislative District (Kenmore, Lake Forest Park and Shoreline) Republicans (2010) – Pending
King County Democrats (2010) – Endorsed
Municipal League (2010) – Outstanding
National Women's Political Caucus of Washington (2010) – Endorsed
Local 21 – District Court Clerks (2010) - Endorsed

Professional History

8. Year admitted to practice law in Washington: 1990

9. Employment History (in reverse chronological order):

a. Start Date: March 15, 2010 End Date: current employer

Organization: **King County District Court, Shoreline Division, Position #2**

Address: Shoreline District Court, 18050 Meridian Ave. N., Shoreline, WA 98133

Phone No.: (206) 296 3601

Position/Title: District Court Judge

Supervisor: Hon. Barbara Linde

Nature of Practice (including frequency of court appearances): District Court Judge. I am in court five days each week and have morning and afternoon calendars each day. I hear between 20 and 50 cases each day. The calendars I cover include: Expedited Felonies, Felony Investigation, Criminal Review Hearings, Infractions, Small Claims, Name Changes, Anti-Harassment Petitions, Temporary Orders for Protection, Tow Impounds and the Criminal calendars for the City of Shoreline and the City of Kenmore.

b. Start Date: May 1995 End Date: March 2010

Organization: **Office of the King County Prosecuting Attorney**, Civil Division, Contracts Section

Address: King County Administration Building, 500 4th Avenue, #900, Seattle, WA 98104

Phone No.: (206) 296 0428

Position/Title: Senior Deputy Prosecuting Attorney, started as a Deputy Prosecuting Attorney and became a Senior Deputy in 18 months.

Supervisor: Tom Kuffel

Nature of Practice (including frequency of court appearances):

I advised King County departments and elected officials on a variety of technology matters. My practice included software licensing, telecommunications (both acquisitions and rights of way) and cable television regulation. My practice was primarily transactional.

Reason for leaving: Appointment to the King County District Court

c. Start Date: February 1995 End Date: May 1995

Organization: **Kenyon Sullivan** (former name) Firm is presently known as Kenyon Disend PLLC

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Address: At the time the firm was located in Renton, Washington

Phone No.: current firm's telephone number: (425) 392-7090

Position/Title: Part Time Attorney (started as a contract attorney)

Supervisor: Tim Sullivan, currently at T-Mobile (425) 383-5533

Nature of Practice (including frequency of court appearances):

Appeared in court 1-2 times a week on the morning and afternoon calendars in Southwest District Court (Burien) and twice a month all day in Snohomish County District Court in Monroe (Lake Stevens) to handle all aspects of criminal misdemeanor prosecutor practice for the City of Burien and the City of Lake Stevens. This included motions, bench trials, jury trials and sentencing calendars.

Reason for leaving: Job offer from the King County Prosecutor's Office

d. Start Date: August 1994 End Date: May 1995

Organization: **Marcine Anderson**, Attorney at law

Position/Title: Self employment and Contract Attorney

Supervisor: Self

Nature of Practice (including frequency of court appearances):

Served as a contract attorney for two law firms, **Kenyon Sullivan**, Renton, Washington (now Kenyon Disend PLLC), **Curran, Kleweno & Johnson**, Kent, Washington (now The Curran Law Firm). Frequently appeared in court for Kenyon Sullivan (see paragraph 9.b. above) and made some court appearances for Curran, Kleweno and Johnson on civil and criminal misdemeanor matters. My supervisor was Pete Curran, (253) 852-2345.

Reason for leaving: Job offer from the King County Prosecutor's Office

e. Start Date: June 1993 End Date: August 1994

Organization: **Ogden Murphy Wallace**

Address: 2100 Westlake Center Tower, 1601 Fifth Avenue, Seattle, WA 98101

Phone No.: (206) 447-7000

Position/Title: Associate

Supervisor: Scott Snyder

Nature of Practice (including frequency of court appearances):

Criminal misdemeanor prosecution (80%) and municipal advice (20%). Frequent court appearances in Issaquah District Court and Northeast District Court representing the cities of Issaquah, Woodinville, Bothell and Redmond as the city prosecutor. Appeared in court approximately four days per week for all aspects of criminal prosecution including motions, bench trials, jury trials and sentencing hearings. Also provided advice to municipalities.

Reason for leaving: The firm and I were not a good fit.

f. Start Date: October 1991 End Date: May 1993

Organization: **McMonagle & Twiss** (firm no longer exists)

Position/Title: Associate

Supervisor: Jeffrey Beaver and Dick Twiss.

Jeffrey Beaver is now at Graham and Dunn (206) 624-8300

Nature of Practice (including frequency of court appearances):

Construction and commercial litigation practice. Appeared in court on a variety of matters, but firm's primary client and case involved a construction dispute. I was responsible for all summary judgment motions and some depositions.

Reason for leaving: After the case was tried/settled, the firm closed.

g. Start Date: April 1991 End Date: October 1991

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Organization: **Bryan Schiffrin McMonagle Elston & Twiss** (firm no longer exists)
Position/Title: Associate
Supervisor: Jeffrey Beaver and Dick Twiss
Nature of Practice (including frequency of court appearances):
Construction and commercial litigation. Appeared in court occasionally, participated in mediations and discovery.
Reason for leaving: Four months after I started at the firm, it split and I joined the partners who formed McMonagle and Twiss.

h. Start Date: May 1989 End Date: October 1990
Organization: **Massachusetts Bay Transportation Authority**, Office of the General Manager
Address: 10 Park Plaza, Boston, MA
Phone No.: unknown
Position/Title: Special Assistant to the Deputy General Manager
Supervisor: Walter Holmes, Deputy General Manager (no longer there) I have been unable to locate any current contact information for Walter Holmes.
Nature of Practice (including frequency of court appearances):
This was a top management position working with the Deputy General Manager on management and policy issues. Key projects included creation of an on-site day care facility and day to day management activities related to administrative departments such as budget, finance, legal and human resources.
Reason for leaving: To move to Seattle.

i. Start Date: August 1986 End Date: May 1989
Organization: **Massachusetts Bay Transportation Authority, Law Department**
Address: 10 Park Plaza, Boston, MA
Position/Title: Asst. General Counsel
Supervisor: Walter Prince (now with the firm of Prince Lobel (617) 456-8003)
Nature of Practice (including frequency of court appearances):
General Litigation Section, had a small caseload of employment matters, one admiralty law case involving two barges that sank on a transit tunnel and advising the procurement office on the acquisition of subway cars, engines and buses.
Reason for leaving: To work in the General Manager's office.

j. Start Date: July 1985 End Date: July 1986
Organization: **The Honorable Joyce London Alexander**
Address: 932 J.W. McCormack Courthouse, U.S. District Court for the E.D. of Massachusetts, Boston, MA
Phone No.: unknown – Judge Magistrate Alexander retired a couple of years ago.
Position/Title: law clerk
Supervisor: Hon. Joyce London Alexander
Nature of Practice (including frequency of court appearances):
Law clerk to a U.S. Judge Magistrate. Legal research and writing for a trial court judge.
Reason for leaving: clerkship ended and employment started at the MBTA.

k. Start Date: August 1984 End Date: July 1985
Organization: **Southeastern Massachusetts Legal Assistance Corporation (Legal Services Office)**
Address: 21 S. Sixth Street, New Bedford, MA 02740
Phone No.: (800) 929 9721
Position/Title: Reginald Heber Smith Community Lawyer Fellow

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Supervisor: Leonard Schatz (no longer there)

Nature of Practice (including frequency of court appearances):

National Fellowship through the Legal Services Corporation – one of 50 in the country. Worked in the housing unit. Appeared in court once a week representing low income tenants in eviction and habitability matters in Taunton, Fall River and New Bedford Superior Courts.

Reason for leaving: The funding for the Reggie Fellowships ended when funding for the Legal Services Corporation was decimated and I was able to start the federal clerkship.

Pro Tem Employment

a. Start Date: January 1998 End Date: March 12, 2010

Organization: **King County District Court**

Address: Office of the Presiding Judge, W-1034 King County Courthouse, Seattle, WA 98104

Phone No.: (206) 296 3595

Position/Title: Judge Pro Tem

Supervisor: Presiding Judge Barbara Linde

Nature of Practice (including frequency of court appearances): Pro Tem Judge on a variety of civil matters. When I first began as a Pro Tem Judge I handled many civil bench and jury trials as well as the civil motion calendar, small claims, anti-harassment petitions and name changes. Several years ago the court established a rule that limited the assignments of any Pro Tem Judge with members of his or her firm/office appearing in the King County District Court. Since deputies from both the Civil and Criminal Divisions of the Office of the Prosecuting Attorney regularly appear in King County District Court, my Pro Tem assignments were limited by the court rule to Small Claims, Name Changes and Anti-harassment petitions.

b. Start Date: February 1997 End Date: 1999

Organization: **Seattle Municipal Court**

Address: 600 Fifth Avenue, Seattle, WA 98104

Phone No.: (206) 684-5600

Position/Title: Judge Pro Tem

Supervisor: Was trained by Hon. Michael Hurtado

Nature of Practice (including frequency of court appearances): Regularly appeared on the weekend arraignment calendar.

Reason for Leaving: Scheduling was difficult.

Teaching Employment

a. Start Date: September 1989 End Date: May 1990

Organization: **New England School of Law**

Address: 154 Stuart Street, Boston, MA 02116

Phone No.: (617) 451-0010

Position/Title: Legal Writing Instructor

Supervisor: Robert Ward, now Dean, Southern New England School of Law (508) 998-9600

Nature of Practice: Legal Writing Instructor

Reason for Leaving: To move to Seattle.

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.

Massachusetts Supreme Judicial Court : January 1985 to December 2002 (retired in good

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standing)

U.S. District Court for the Eastern District of Massachusetts: 1986

1st Circuit Court of Appeals: 1986

Washington State Bar Association: 1990

U.S. District Court for the Western District of Washington: early 1990's

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 – Member since 1990

- Supreme Court Task Force on the Code of Judicial Conduct – 2008-2009
- Washington Leadership Institute – Board Member 2007 to present, Treasurer 2007 – 2009
- Washington State Bar Foundation – Trustee 2007 – 2010, Treasurer 2007 – 2009
- Adjunct Investigative Counsel, 2007 – 2010
- Board of Governors, At – Large Member, 2004 – 2007
 - Chair of the BOG Committee for Diversity 2006-2007, Co-Chair of the BOG Committee for Diversity 2005 – 2006
 - Liaison to the Leadership Institute Advisory Board, the WSBA Committee for Diversity, the Law Clerk Committee, the Access to Justice Board the Washington State Bar Foundation, and the Initiative for Diversity Governing Council – 2004-2007
 - Membership in the follow Board of Governor's Committees: Budget & Audit (2005 – 2007), Legislative, Long Range Planning and Technology Steering (2004 – 2007)
 - Membership on the WSBA Judicial Selection Task Force (2007-2008)
- Board of Bar Examiners 1993 – 1995

▶ King County Bar Association

- Judicial Evaluation Committee 1995 – 1998
- Diversity in the Legal profession Committee 1998

▶ Asian Bar Association of Washington (member 1990 to present)

- International District Pro Bono Clinic 1995 – 2010
- Co-Chair, National Asian Pacific American Bar Association (NAPABA) National Conference 2006 – 2008
- Board of Directors 1990 – 1995
- Membership Committee – Chair 1992 – 1993 and Co-Chair 1993 – 1994
- Judicial Evaluation Committee 1991 – 1995

▶ Asian American Lawyers Association of Massachusetts, Inc. (member 1984 – 1990)

- Board of Directors 1988 – 1990
- Established and chaired the Judicial Evaluation Committee

▶ Massachusetts Bar Association (member 1988 – 1990)

- Appointed to Special Committee on the Admission of Minorities

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.

I was sworn in on March 12, 2010 and have not had many opportunities to serve on committees, but due to my extensive experience in technology law I immediately volunteered to serve on the court technology committee.

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. Unanimous appointment by the King County Council to the King County District Court.
2. August 2009 receipt of a WSBA "Random Acts of Professionalism Award."
3. At the request of the King County Executive, Ron Sims, I was assigned by Norm Maleng as the lead attorney for technology matters at King County, except for Transit Technology matters.
4. Over the past ten years I have been an extern supervisor for Seattle University School of Law. I have had the opportunity to learn from and mentor a number of law school students.
5. My term on the Washington State Bar Association Board of Governors.
6. 2008 receipt of the WSBA "Excellence in Diversity" Award

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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.
1. (2004) With a colleague, settled a technology matter in favor of our client for the equivalent of \$4.9 million. This was significant because I negotiated the underlying contract and the strength of the language in the guaranty required a foreign government guarantor to make my client whole for a failed software project.
 2. (1983) When I was in law school I worked at the Roxbury Defenders Project, a public defender organization in Boston, Massachusetts. My client arrived in court after serving a two year sentence. His court appearance was the final step before his release and the purpose was to determine if he had any other outstanding criminal matters that would prevent his release. It was "discovered" that he had not served a two year sentence for car theft and he was on his way back to jail. His mother told me that my client had served his sentence. Upon close examination of the paperwork, it became apparent that prior to the representation by Roxbury Defenders, my client had served a two year term for an improper turn, and he was now facing the possibility of going back to jail for car theft. I was able to coordinate the schedules of the arresting officer and the prosecutor for a later court appearance before the judge that had initially sentenced my client. All agreed that the records should reflect that my client had served the sentence for the car theft and he was released. This was significant to me because I saw first hand how a record keeping error could make a litigant feel that the court system was unfair.
 3. (1999 – 2009) During the past ten years I have negotiated the agreements for many multi-million dollar software projects at King County. Each project has a different focus, but the goal is to enter into an agreement that is fair to the County. Before I started working on the software projects, the County would frequently sign the vendor form of contract. Working with a team of people from various areas of the County, we have developed a form technology contract that is used for technology purchases County-wide. This is significant to me because the County now has a standardized approach for technology purchases and I had the opportunity to improve the contracting process.
 4. (1998) James and Flora Allison v. State Farm Mutual Automobile Insurance, Case No. 98-04221. This was a 14 day jury trial in King County District Court, Seattle Division. This case was significant to me because of the length of the trial.
 5. (1999) David Hobbs v. Scott Abraham, Case No. 99-7537. This case involved a petition for an order of anti-harassment which I granted in King County District Court, Seattle Division. Once the order was granted I learned that I was the first judge in the United States to restrain a person from an Internet chat room. I received hundreds of e-mails and phone calls and the case was the subject of newspaper articles, radio coverage and on-line polls. This case was significant to me because of the interest it generated.

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 Oregon	September 1973–June 1977	B.A. Social Work and Public Administration
University of Oregon	September 1973–June 1977	Certificate Ethnic Studies

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

Suffolk University Law School	1981-1984	J.D.
Law School	Dates of Attendance	Degree

Professional Experience

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

I am presently a King County District Court Judge.

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

I am presently a King County District Court Judge.

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.

I am presently a King County District Court Judge.

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

I am presently a King County District Court Judge. I appear in court five days/week.
 Regularly Occasionally as a Pro Tem Judge Infrequently

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

Regularly Occasionally x Never

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

I am presently a King County District Court Judge.

I served as a Pro Tem Judge for the King County District Court on an as needed basis. I usually pro tem for the Seattle Division, but have served as a Pro Tem Judge in the Shoreline District Court.

Regularly x Occasionally as a Pro Tem Judge 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 | 100 % as a <u>Judge and a Pro Tem Judge</u> |
| (7) Administrative tribunals | _____ % |
| (8) Tribal courts | _____ % |
| (9) Other | _____ % |

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TOTAL 100%

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

I am presently a King County District Court Judge. Two days/week I hear criminal matters and three days/week I hear civil matters.

The following information is from my prior application:

(1) Civil litigation (excl. family law)	1%
(2) Criminal litigation	_____ %
(3) Family law litigation	_____ %
(4) Non-litigation	99 %
TOTAL	100%

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

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

(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>
	Municipal	_____	_____	_____
+ 100	State Dist.	100%	15%	_____
15			30%	100% Pro Tem
_____	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).

When I was a municipal prosecutor I worked on a small number of RALJ appeals. It has been so long ago that I would not be able to accurately provide a number or state with confidence how far the cases went in the appeals process.

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<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).

1. My prior practice primarily involved complex technology transactions and I was usually the sole counsel and if not the sole counsel, I was the lead counsel.
2. Nearly 10 years ago I represented the County in a mediation involving a breach of contract on a software matter. Opposing counsel on that matter is Robert Witte, Strasburger & Price LLP, Dallas, Texas (214) 651-4612
3. While working as a municipal prosecutor, the opposing counsel was frequently Howard Stein, Stein, Lotzkar & Starr P.S. Phone: 425-643-9424

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

None

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

Most of my prior practice involved contract negotiations with CEO's, CFO's Presidents and Vice-Presidents of software companies. Sometimes, attorneys were brought in by the software company, but not always. Each negotiation was different, but I found that one must be a credible negotiator to be effective. I feel that I established credibility by 1) being prepared; 2) knowing where I have flexibility in the decision making process; 3) understanding where my clients want be at the end of our negotiation; 4) using time efficiently; 5) knowing the law and 6) understanding the type of communication necessary for that particular negotiation on that particular day. These are all skills that are used by a judge as well.

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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 the answer to question 11.

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 will a) provide a forum where litigants, witnesses and court staff are treated with dignity and respect; b) follow the rule of law to resolve conflicts so that the public has confidence in the courts and c) ensure access to justice. I have the intellect, analytical ability and the heart to make decisions.

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

The Shoreline District Court is a "People's Court." For many people it is the only time they will ever see the inside of a courthouse. My judicial philosophy is to take great care in making sure that the public has confidence in the court system.

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.

I was appointed to the Shoreline District Court on February 22, 2010. I am now a candidate for election to retain my seat on the bench.

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.

Have you ever held public office other than a judicial office? No.

Have you ever been a candidate for such an office? Yes. I am currently running for King County District Court, Shoreline Division, Position No. 2.

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.

Please see the answer to Question 9, Current Judicial and Pro Tem Employment.

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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.

1. Japanese American Citizen's League Member – 2001 – present
 - Installation Banquet Committee, 2001 – present. Co-Chair 2003-2005
2. International District Legal Clinic – Volunteer Attorney 1995 – 2010
3. Angeline's Legal Clinic – Volunteer Attorney 2004 – 2007 when clinic closed
4. Paula Marcus Guild, Odessa Brown Children's Clinic – 1995 - 2001