

## **REQUEST FOR QUALIFICATIONS FOR MUNICIPAL COURT JUDGE**

The City of Gig Harbor (“City”), Washington, is requesting proposals from well qualified attorneys interested in serving as the Presiding Judge for the City of Gig Harbor Municipal Court.

### **DESCRIPTION**

The Municipal Court Judge is the Presiding Judge of the City of Gig Harbor Municipal Court and presides over and adjudicates a variety of hearings and trials related to civil infraction and parking cases, criminal misdemeanor and gross misdemeanor cases in accordance with established legal procedures as prescribed in Washington State law; imposes appropriate sentences and penalties as prescribed by law; communicates with other city, county and state criminal justice agencies.

The person selected must take an oath of office, be bondable and must be willing to be contacted nights and weekends for review and signing of search warrants. The Presiding Judge must comply with the Code of Judicial Conduct and be subject to ethics laws applicable to this office. The person appointed as Presiding Judge shall be a citizen of the United States of America and of the State of Washington and a resident of Pierce County.

The Gig Harbor Municipal Court is located within the Civic Center building. Staffing in the Municipal Court consists of a Court Administrator, one part-time court security officer, and two fulltime Court Clerks who perform court clerk and administrative support functions. The Judge is appointed by the Mayor, subject to confirmation by the City Council. The first judicial appointment to this position will be effective at 5:01 PM December 31, 2017 and will expire December 31, 2021. In 2016, the City of Gig Harbor caseload totaled 1,787 cases. The Judge is anticipated to provide sixteen (16) hours of service in the average week consisting of one (1) court day and up to eight (8) additional hours for in-custody matters, search warrants, and administrative time. The number of weekly hours of service required is subject to review if caseload increases during the judicial term. The regular criminal court date is Wednesday of each week. The traffic court date is the 2<sup>nd</sup> Tuesday of each month, and if needed, jury trials are set for Tuesdays other than traffic court dates.

The City recognizes the need for judicial independence. Consistent with General Rule 29, the Presiding Judge has independence from the executive and legislative branches in carrying out the Court’s purely judicial responsibilities. At the same time, the court is a municipal division of the City and subject to City oversight as allowed by General Rule 29. The expectation is that the Court and the City Administration will have a positive working relationship.

### **QUALIFICATIONS**

**Education and Experience:** Minimum qualifications include JD degree from an accredited law school, license to practice law in the state of Washington, membership in the Washington State Bar Association, and five (5) years’ experience as a practicing attorney or judge. Experience as a court commissioner, municipal/district judge, or judge pro-tem preferred.

**Necessary Knowledge, Skills and Abilities:** Considerable knowledge of the standards for Municipal Court Administration in the State of Washington; considerable knowledge of proper courtroom procedure and the rules of evidence; working knowledge of criminal law; working knowledge of local ordinances, laws and procedures; skill in basic supervisory principles and practices; ability to grasp complex factual data, draw appropriate conclusions and formulate sound legal decisions; ability to communicate complex legal ideas and/or decisions to a variety of audiences in clear, comprehensive and professional manner; hear and weigh testimony and evidence; ability to impose appropriate sentences and penalties in accordance with the laws of the State of Washington; ability to communicate effectively both orally and in writing; ability to read, interpret, apply and explain codes, rules, regulations, policies and procedures; ability to establish and maintain effective working relationships with the City Administration, City Council, City Prosecutor, Police Department, Public Defender, Court staff, and the general public.

### **COMPENSATION/HOURS OF WORK**

The City and Presiding Judge will enter into a judicial services agreement which will address compensation. The City is requesting proposals for the four (4) year judicial appointment. Proposals shall clearly set forth fees or fee structure to be charged for services. A flat fee proposal is preferred.

### **SELECTION PROCESS**

The Mayor and/or designees will review and screen all proposals. Finalists will be invited for interviews. The selected candidate shall be appointed by the Mayor. The appointment and the judicial services agreement are subject to confirmation by the City Council.

### **REQUIREMENTS**

The selected attorney will be required to undergo a reference check prior to appointment, and to provide to the City proof of insurance as required (including professional liability insurance).

### **INSTRUCTIONS TO REPLY TO THIS REQUEST FOR QUALIFICATIONS**

To reply to the RFQ, please submit the following: (1) resume; (2) cover letter and statement of qualifications, which must include Washington State Bar Numbers for all attorneys responding to this RFQ; (3) a release allowing the City of Gig Harbor access to all WSBA disciplinary investigations and/or actions, and (4) answers to the Governor's Uniform Judicial Evaluation Questionnaire attached hereto and also found at:

[https://www.governor.wa.gov/sites/default/files/documents/JudicialAppointmentQuestionnaire2015\\_0.docx](https://www.governor.wa.gov/sites/default/files/documents/JudicialAppointmentQuestionnaire2015_0.docx). All materials shall be submitted in one packet and provided to the Human Resource Manager, Kameil Borders at City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335. **ALL APPLICATION MATERIALS SHALL BE SUBMITTED BY 12:00 NOON ON DECEMBER 13, 2017.** If selected, interviews will be held on the afternoon of December 14, 2017.

Upon the City's discretion, proposals submitted after the due date and time may be considered. Proponents accept all risks of late delivery of mailed proposals regardless of fault. **The Proponent bears all responsibility for ensuring the mailing address is correct.**

# JUDICIAL EVALUATION QUESTIONNAIRE

*Adopted from the Washington State Governor's Office Uniform Judicial Evaluation Questionnaire*

<b>Judicial Position</b>	
Position Sought	Court, Division, or District

<b>Personal Information</b>	
Name (Last, First, and Middle Initial)	Email (Personal and Work)
Home Mailing Address	City, State, ZIP
Work Mailing Address	City, State, ZIP
Personal Phone (Include area code)	Work Phone (Include area code)
Mobile Phone (Include area code)	Social Security Number
WSBA Bar Number and Year of Admission	Date of Birth (mm/dd/yyyy)

<b>Prior Evaluation and Application History</b>
Please list all prior judicial positions sought. Please list evaluations you received as part of that process, including dates.

<b>Education</b>		
Please list all law school, graduate, and undergraduate colleges and universities attended.		
College/University	Month and Year Attended (From and To)	Degree Awarded
College/University	Month and Year Attended (From and To)	Degree Awarded
College/University	Month and Year Attended (From and To)	Degree Awarded
College/University	Month and Year Attended (From and To)	Degree Awarded
If you did not complete your degree at any of these schools, please explain why.		

<b>Professional History</b>	
1. Present or Last Employer	Employer's Address
Employer's Phone (Include area code)	Your Title
Dates of Employment From            To	Supervisor's Name
Nature of Practice (including frequency of court appearances and areas of special emphasis)	
Reason for Leaving	

2. Previous Employer	Employer's Address
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<b>Employer's Phone (Include area code)</b>	<b>Your Title</b>
<b>Dates of Employment From            To</b>	<b>Supervisor's Name</b>
<b>Nature of Practice (including frequency of court appearances and areas of special emphasis)</b>	
<b>Reason for Leaving</b>	

<b>3. Previous Employer</b>	<b>Employer's Address</b>
<b>Employer's Phone (Include area code)</b>	<b>Your Title</b>
<b>Dates of Employment From            To</b>	<b>Supervisor's Name</b>
<b>Nature of Practice (including frequency of court appearances and areas of special emphasis)</b>	
<b>Reason for Leaving</b>	

<b>4. Previous Employer</b>	<b>Employer's Address</b>
<b>Employer's Phone (Include area code)</b>	<b>Your Title</b>
<b>Dates of Employment From            To</b>	<b>Supervisor's Name</b>
<b>Nature of Practice (including frequency of court appearances and areas of special emphasis)</b>	
<b>Reason for Leaving</b>	

<b>5. Previous Employer</b>	<b>Employer's Address</b>
<b>Employer's Phone (Include area code)</b>	<b>Your Title</b>
<b>Dates of Employment From            To</b>	<b>Supervisor's Name</b>
<b>Nature of Practice (including frequency of court appearances and areas of special emphasis)</b>	
<b>Reason for Leaving</b>	

Please list any additional employment, and include the same information sought in previous Section V questions.

<b>Jurisdictions, Associations, and Awards</b>	
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.	
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.	
Are you in good standing in every bar association of which you are a member? please explain.	If you answered "no",

If you have been a judge, please identify court committees on which you served or administrative positions you have held. Include dates of services for each.

Please list any honors, prizes, awards, or other forms of recognition that you have received and whether they were professional or civic in nature.

### Professional Practice Experience

Within the last five years, did you appear in trial court:

Regularly  Occasionally  Infrequently

Within the last five years, did you prepare appellate briefs and appear before appellate courts:

Regularly  Occasionally  Infrequently

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

Regularly  Occasionally  Infrequently

### Career Experience – What percentage of your appearances in the last five years was in:

Federal Appellate Courts %

Federal Trial Courts %

State Appellate Courts %

State Trial Courts %

Municipal Courts %

District Courts %

Administrative Tribunals %

Tribal Courts %

Other %

### What percentage of your practice in the last five years was in:

Civil Litigation (excl. family law) %

Criminal Litigation %

Family Law Litigation %

Non-Litigation %

### What percentage of your trials in the last five years were:

Jury Trials %

Non-Jury Trials %

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

Court	Number	% as sole/Chief Counsel	% Jury	% as the Arbiter
Municipal Court				
State District Court				
State Superior Court				
Federal District Court				
Administrative Court				
Tribal Court				
Other				

Indicate the total number of appellate cases during your 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).

Court	Number	% as sole/Chief Counsel	% as the Arbiter
State Superior Court			
WA Division I COA			
WA Division II COA			

WA Division III COA			
State Supreme Court			
Federal Circuit COA			
US Supreme Court			

Briefly describe no more than eight significant matters that you directly handled as counsel, and include the reason that each is significant to you. For each, please provide the name of the judge or other judicial officer, and the citation, if applicable.

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

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

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.

Have you published any books or articles in the field of law? If so, please list them, giving the citations and dates. Also, please give the dates and forums of any Continuing Legal Education presentations that you have made.

### Judicial Interest and Experience

In 75 words or less, please describe why you are seeking a judicial position.

In 75 words or less, please describe the type of judge you aspire to be.

Have you ever held a judicial office? If you answered “yes”, please provide details, including the courts involved, whether elected or appointed, and periods of your service.

Have you ever held public office other than a judicial office? If you answered “yes”, please provide details, including the offices involved, whether elected or appointed, and periods of your service.

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

If you seek an appellate court position, please describe how your previous judicial experience prepared you to serve as an appellate court judge.

### Community and Civic Activities

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

### Access to Justice and Diversity in the Legal Profession

Please describe any activities that you have engaged in to eliminate bias or improve access to the judicial system.

What are the most significant barriers to access to justice today? In what ways have you seen these barriers in your practice?

As a member of the bench, what role, if any, do you believe that a judge has to enhance equal access to justice?
What experiences, training, or knowledge do you have in addressing diversity in the legal profession?
What can a judge, or court, do to improve diversity in the legal profession?

### **Discipline, Disputes, and Conflicts**

Have you ever been held, arrested, charged, or convicted by federal, state, or other law enforcement authorities for violation of any federal law, state law, county or municipal law, regulation, or ordinance? If you answered “yes”, please provide details, including case numbers. (Do not include traffic violations for which a fine of less than \$150.00 was imposed.) Please feel free to provide your view of how it bears on your present fitness for judicial office.

Has a client ever made a claim or suit against you for malpractice? If you answered “yes”, please provide details and the current status of the claim and/or suit.

Have you ever been a party in interest, witness, or consultant in any legal proceeding? If you answered “yes”, please provide details, including the case number. Do not list proceedings in which you were merely a guardian ad litem or stakeholder.

Have you ever been the subject of a complaint to any bar association, disciplinary committee, court, administrative agency, or other professional group? If you answered “yes”, please provide details.

Have you ever been disciplined or cited for breach of ethics or unprofessional conduct? If you answered “yes”, please provide details.

If you have ever served as a judge, commissioner, or in any judicial capacity, has a complaint for misconduct in that capacity ever been made against you? If you answered “yes”, please provide details.

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.

Are you aware of anything that may affect your ability to perform the duties of a judge? If you answered “yes”, please provide details.

**References – In the evaluation process it is useful for evaluators to speak with attorneys and non-attorneys who are familiar with you. Evaluators may contact each of your references. If a reference is unreachable, your evaluation may be delayed. Please contact references in advance. We may be contacting individuals not listed by you as a reference to obtain information about you.**

Please list the names and phone numbers of up to 10 opposing counsels who know you best, including at least three opposing counsels on cases that went to trial.

If you have been a judge or otherwise have served as a neutral decision-maker within the last 10 years, please list the names and phone numbers of the last 10 attorneys who have appeared before you.

For the last five trials in which you participated (whether as a trial lawyer or decision-maker), please list as appropriate the following for each: case name, subject matter, court, judge (with phone numbers), and opposing counsel or counsel appearing before you (with phone numbers).

Please list the names and phone numbers of 10 additional attorneys familiar with your professional

qualifications, skills, experience, and attributes.

Please list the names and phone numbers of up to five non-attorney references whose opinions or observations—particularly with respect to your commitment to improving access to the judicial system—would assist in the consideration of your application.

Please provide a writing sample of your work (between five and 10 pages long), written and edited by you, within the last five years.

**Rating and Evaluations – The Governor’s Office requires individuals seeking judicial appointment to utilize, to the fullest extent possible, the ratings processes from state, county, and minority bar organizations. To facilitate the process, many of these organizations accept this questionnaire as the principal application in their evaluation process and may also require completion of a supplement questionnaire.**

The Washington State Bar Association (WSBA) Judicial Recommendation Committee screens and interviews candidates for state Court of Appeals and Supreme Court positions. Recommendations are reviewed by the WSBA Board of Governors and referred to the Governor for consideration when making judicial appointments. Committee information can be found on the WSBA website at <http://www.wsba.org/jrc>.

Contact minority bar associations to determine whether an evaluation process will be conducted. Contact information can be found on the Washington State Bar Association’s website at <http://www.wsba.org/Legal-Community/Minority-Bar-Associations>. This webpage contains a link to the list of Judicial Evaluation Committee Representatives for those associations who participate in standing judicial evaluation committees. Note that some of the minority bar associations may conduct judicial evaluations when judicial vacancies occur, even if committee representatives are not listed on the webpage.

Contact the relevant county bar associations to determine whether an evaluation process will be conducted. Contact information for county bar associations can be found on the WSBA website at <http://www.wsba.org/Legal-Community/County-Bar-Associations>

List the organizations you have contacted for an evaluation.

**Date and Signature – All answers and statement are true and complete to the best of my knowledge. I understand that the state may verify information, and that untruthful or misleading answers are cause for rejection of this questionnaire or dismissal if appointed. Electronic questionnaires do not require a signature; you may type in the date and your first and last name.**

Date	Signature
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Judicial Evaluation Questionnaire  
City of Gig Harbor Municipal Court

**RELEASE OF INFORMATION**

I hereby give the City of Gig Harbor the right to investigate my past employment, education and activities. I release from all liability all persons, companies and corporations who supply such information. I understand that any omission of facts, misrepresentation of statements or implications I might make in this application or in any other required documents shall be considered sufficient cause to deny appointment.

I also understand that nothing contained in this application or in the granting of an interview is intended to imply an appointment by the City of Gig Harbor. I have received no promises regarding appointment and I understand that no such promise or guarantee is binding on the City of Gig Harbor unless made in writing.

Signature \_\_\_\_\_

Date