

2020 Pierce County Democrats Endorsement Questionnaire
-Judicial Election-

Candidate Name: Matthew Thomas

Position sought: Pierce County Superior Court, Dept. 13.

Date submitted: April 17, 2020

In judicial elections, the Pierce County Democratic Central Committee (Pierce County Democrats) seeks to endorse well qualified candidates with the education, experience, ability, and temperament to reach just decisions in the individual cases brought before them and who will also seek to make the justice system more understandable, accessible, and equitable for all. The Endorsements Committee screens candidates for and makes endorsement recommendations to the Pierce County Democrats.

The Pierce County Democrats may withdraw endorsement of any judicial candidate it determines has acted in conflict with the answers provided during the screening process or it determines has violated the letter or the spirit of the Code of Judicial Conduct or the Rules of Professional Conduct.

You may respond N/A (not applicable) if appropriate. Expand or decrease space as needed.

Questions

1. Why are you running for this particular position?

I am running because I believe in public service and I want to keep our judiciary independent and fair. As President John F. Kennedy said, "One person can make a difference and everyone should try." We need judges with good judicial demeanors who are good listeners, ethical, independent, and fair. I believe I have these qualities.

On March 20, 2020, Governor Inslee announced that he was appointing me to Pierce County Superior Court. I will replace Judge Kathryn Nelson, Department 13, who retires September 20, so I will need to run for that seat this year. I was already running for a different open seat on the Court when the Governor's Office contacted me.

2. What are your qualifications for seeking this office, and what was the nature of your law practice?

A Superior Court Judge should have litigation and breadth of experience, including doing jury trials, as well as a good judicial temperament, a good education, a commitment to our judicial system, the rule of law, and our community. I am fortunate to have these qualities. I have the trial experience necessary to do the job well. I knew I wanted to do trial work after doing my first jury trial in law school. After law school, I worked for nearly six years as a Deputy Prosecuting Attorney for Pierce County, trying a variety of cases, and was then hired as an Assistant United States Attorney in the Western District of Washington, assigned to the Tacoma branch. In that

position, I have handled many different cases, both criminal and civil, including fraud, corruption, drug trafficking, human trafficking, habeas, extraditions and mutual legal assistance, forfeiture cases, and appeals. I have also taught law related classes at the University of Washington, Tacoma and Pierce College. I have volunteered as a judge for the UW School of Law's Mock Trial and Moot Court programs. I am thankful to have had a good education: I graduated from two great schools, the University of Washington, School of Law, J.D., and Washington State University, B.A. (double major), Phi Beta Kappa, Summa Cum Laude. With respect to judicial demeanor and commitment to our judicial system and community, I am honored to have earned the respect of my peers: The Judicial Qualification Committees for the Tacoma Pierce County Bar Association and the Washington Women Lawyers rated me Exceptionally Well Qualified for the position of Pierce County Superior Court Judge. The Robert J. Bryan Inns of Court honored with the Civility Award and the lawyers of Tacoma and Pierce County elected me as President of the Pierce County Bar Association, serving from February 2016 to February 2017. My peers in the Federal Bar Association also selected me as Trustee. Each year, I present a legal ethics course on behalf of the Tacoma Pierce County Bar Association. Further, I enjoy volunteering in the community: I am a member of the Tacoma Downtown Lions Club, a civic charitable organization, and I am the historian for my Tacoma sailing club.

3. If your past legal practice has emphasized one area of law, how will you prepare to decide other disputes and demonstrate to litigants that you can competently do so? I have been exposed to many different areas of the law. However, when I face an unfamiliar area of the law, I will read all the briefing and conduct my own independent research. I will be as well prepared as possible and listen closely to the arguments of counsel. When presiding over the case, I will treat the parties and witnesses with the attention, fairness, and the dignity they deserve.

4. What are the most important issues for the jurisdiction you would serve or for the court you seek to join?

Achieving equal access to justice. Whether rich or poor, whether represented by a lawyer or not, whether English speaking or not, every person should have access to our Courts. This is why I serve on the Bar Foundation supporting Tacoma Pro Bono, which provides free, private legal representation to persons who cannot afford it, non-English speaking clients, and underserved communities.

Another important issue is the need to fairly and promptly handle the large number of cases that come before Pierce County Superior Court. Already, the Pierce County Superior Court Judges have taken steps to ensure that cases get to trial on time, including assigning judges to designated 18 month criminal and civil rotations. If elected, I would like to see us continue this effort by making better use of technology, for example, by using text messaging to remind parties and jurors of court dates.

5. Why should the Pierce County Democratic Party support you for this position? By endorsing me, you will be showing support for Governor Inslee's careful judicial appointment process. On March 20, 2020, Governor Inslee announced that he was appointing me as Superior Court Judge for Department 13 to complete the unexpired term of Judge Kathryn Nelson who will retire in September 2020. (Governor appoints 2 new judges to Pierce County Superior Court bench, News Tribune 3/20/20). Governor Inslee's selection process is

rigorous. It involves consideration of ratings by Bar Associations and the input from judges and community leaders.

6. If you hold any Democratic Party values, how have you demonstrated them? Non-partisan position.

7. Please list any key endorsements. I have been endorsed by about 20 judges and retired judges from the Court of Appeals, Superior, District, and Municipal Courts. I have also been endorsed by elected and former elected officials including: former State Auditor Brian Sonntag, County Council Member Derek Young, State Representative Christine Kilduff, former Pierce County Prosecutor and County Executive John Ladenburg, Congressman Adam Smith, former Tacoma Mayor Bill Baarsma, former City Councilman Bill Evans, Port Commissioner John McCarthy, and former United States Attorney and Seattle Mayor Jenny Durkan, among others.

8. Provide ratings from any Bar Associations, either in this election or a prior one. I was fortunate to receive the highest rating of “Exceptionally Well Qualified” for the position of Superior Court Judge from Tacoma Pierce County Bar Association and the Washington Women Lawyers, Pierce County Chapter. I was also rated “Well Qualified” by three Seattle based bar associations: QLAW, LBAW and JAJEC.

9. Has any professional or disciplinary body made a finding that you violated any rule or code of judicial or professional conduct? No. If so, please provide a full explanation.

10. To what Bar groups or sections do you belong now or have belonged to in the past? Tacoma Pierce County Bar Association (President 2016-2017)), Washington State Bar Association, and the Federal Bar Association for the Western District of Washington (former Trustee).

11. When in law school did you participate in a bar review publication? What was your final class rank? N/A. I did well academically at the University of Washington School of Law. In addition, I was elected vice-president of the law school and won my first jury trial in a UW clinical program with the public defenders’ office.

12. How have you supported pro bono or low-cost legal services? I serve on the Bar Foundation, supporting Tacoma Pro Bono, which provides free, private legal representation to persons who cannot afford it, non-English speaking clients, and underserved communities. While I was President of the Tacoma Pierce County Bar Association, I made sure the Board financially supported the work of Tacoma Pro Bono. Tacoma Pro Bono is currently offering free legal advice to members of the public who have legal questions arising from COVID-19 and its impact on our community.

13. Do you have a judicial philosophy? If so, what is it? I believe in an independent judiciary that fairly applies the rule of law.

14. How is being a judge different than being a lawyer, if it is? A lawyer is defined as someone who is “learned in the law.” In this sense, a judge does not stop being a lawyer when they become a judge. However, unlike a lawyer, a judge is not an advocate for a particular client and does not give legal advice. Instead, a judge must ensure due process, that is, that the law is fairly applied and also that the process is fair.

IF ELECTED TO THIS POSITION....

1. **How would you educate and inform the public about your court and the justice system?** In the past, I have spoken to civic clubs like the Kiwanis and Lions club about our judicial system. In addition, as a candidate, I have attended neighborhood council meetings where I have spoken about the judicial system. As a judge, I will continue to do these things, to educate and inform the public about the Court and justice system. I also teach law related classes as adjunct faculty at the University of Washington Tacoma. Teaching is a great way to educate members of the public about our justice system; to the extent I am able, I will continue to teach.
2. **What would you do to provide greater access to the civil judicial system for non-wealthy people?** With respect to promoting access to justice, I currently serve on the Bar Foundation, which supports and helps raise funds for access to justice programs such as Tacoma Pro Bono, which offers free legal services. As Supreme Court Justice Lewis Powell, Jr. said, “it is fundamental that justice should be the same . . . without regard for economic status.” As a judge, I will lead by example, attending events supporting the Equal Justice campaign and Tacoma Pro Bono.
3. **If you think that the judicial system improperly produces different results for certain groups or classifications, what would you do to remedy that problem?** The Constitution guarantees equal protection under the law, so as a judge, if there is evidence of unequal treatment, I will fairly apply the law to address it. I also hope to do outreach, whenever possible, to underprivileged groups. In 2016, while I was President of the Tacoma Pierce County Bar Association and chair of the editorial board of the Pierce County Lawyer magazine, we put together a feature story entitled “Your Voice Matters” in which we invited African American leaders including an African American Pierce County Superior Court Judge, a local church minister and community leader, as well as law enforcement officials including the Pierce County Sheriff, Pierce County Prosecutor, and Tacoma Police Chief to write about issues surrounding the deaths of unarmed African Americans during contacts with law enforcement officers and the deaths of uniformed police officers who died in the line duty. Our hope was to encourage a thoughtful conversation that would lead to positive, peaceful change. The Tacoma Pierce County Bar Association received very good feedback about this issue.
4. **Do you think there is a problem with the way in which legal financial obligations or other costs and fines are currently imposed on criminal defendants?** If so, what would you do to remedy that problem? This can be an issue if the Courts feel obligated to impose financial obligations as a means of funding the Courts. Judges must decide whether to impose or waive non-mandatory fines and court costs on a case-by-case basis, taking into consideration the defendant’s ability to pay and what is a just and appropriate fine in each particular case. An indigent person may petition the Court to waive court costs. In so much as budget concerns force judges to impose fines and court costs on defendants who are unable to pay them, then relying on court costs alone for funding is not a good plan. In September 2019, nearly 1000 people signed up to go to Court in the County-City Building in Tacoma to have their court ordered financial obligations waived. It was Pierce County’s first Legal Financial Obligation Reconsideration Day. The purpose of this event was to offer the participants a new start. Unpaid court ordered financial obligations can make it difficult for a person to get a driver’s license, get a job, go to school, and otherwise move on to live productive lives.

5. **Do you support or oppose alternatives to criminal prosecution, such as drug courts, mental health courts, diversion programs, etc.?** What changes would you make, if any? Yes, therapeutic courts are an important way to help defendants get back on their feet through treatment instead of jail in appropriate, non-violent cases. As a judge, I will volunteer to be assigned to the therapeutic courts and I will work to make sure they are successful.
6. **How would you approach any caseload or court congestion issues?** Already, the Pierce County Superior Court Judges have taken steps to ensure that cases get to trial on time, including assigning judges to designated 18 month criminal and civil rotations. If elected, I would like to see us continue this effort by making better use of technology, for example, by using text messaging to remind parties and jurors of court dates.
7. **Is there anything else you would like to share with the Committee?** Thank you for your consideration and for allowing me to address the Democrat Central Committee at your New Year's party (bake sale) and at your monthly Thursday meeting. It was a pleasure meeting everyone and watching the other speeches. If you endorse me, I would like to mention it in my voter's pamphlet statement, which is due in mid-May. Thank you.