

25th Legislative District Democrats

Candidate Endorsement Request (*District Court*)

Full Name (as shown on ballot) LIZANNE PADULA

Office Sought: PIERCE COUNTY DISTRICT COURT JUDGE #3 Today's Date: June 26, 2018

Years in the district that you want to represent: I moved to Pierce County in the beginning of 2018.

Campaign Information

Name of Campaign: PEOPLE FOR PADULA FOR JUDGE Campaign Manager: JOHN WINKLER

Campaign Address: PO BOX 1651, TACOMA WA 98401

Campaign Phone: (253) 677-3393 Email: Lizanne@PadulaForJudge.com

Website: PadulaForJudge.com (Still in development)

Social media:

Facebook: Lizanne Padula For Judge Twitter: No

Other: No

How much money do you intend to spend on this campaign? \$100,000 to \$125,000 How much in personal funds do you intend to spend? \$50,000 How much have you raised so far? Currently not ready to accept donations

Are you using union printers and/or sign shops to do your campaign printing? Yes

Questionnaire

Please keep your answers brief.

Please list your qualifications for seeking office:

I attended college at University of Denver where, in 1988, I obtained a BA in Psychology. After college I worked for the Washington State Court of Appeals (Div. I). In 1994, I graduated from University of Cincinnati College of Law where I earned a Juris Doctorate. For the first five years, after passing the Bar, I served as a Deputy Prosecuting Attorney in Clallam, Jefferson and Franklin Counties. As a Prosecutor, I garnered experience in District Court, Juvenile Court and Superior Court. I was also a specially assigned Domestic Violence and a Drug Enforcement Prosecutor. In 1999, I went into private practice where I have handled personal injury, marriage dissolution/child custody, criminal defense, appeals, Protection Order/No Contact Order (NCO) litigation and administrative law litigation.

I am an attorney with over 24 years of experience. I have handled hundreds of Protection Order cases, thousands of criminal defense matters (most commonly but not exclusively: Theft, DUI, Assault, Violation of NCO, Vehicular Assault/Homicide and Arson) and many civil matters. I have practiced in Courts all over the State. Most commonly, I am in Snohomish, King, Pierce and Thurston counties. I am also a Pro-Tem Judge. In every Court where I have acted as a Pro-Tem Judge, I have received favorable comments about my work on the bench from the attorneys and Court staff and I have been invited back on an ongoing basis.

What special skills do you bring to the bench?

Besides my varied and extensive experience, I bring an unwavering work ethic. I was raised by my grandmother after my mother died when I was ten years old. Because of this, I have an "old-world" sense of hard work and honesty. In addition to my paying clients, I have performed hundreds of hours of pro bono work for people unable to afford an attorney. I have done this because I feel it is important to give back to your community in gratitude for what your community has given to you. Whether for paying or pro bono clients, I always work hard and make sure I have left nothing undone. I learned many years ago that even if you cannot be the smartest attorney in the room, you can always be the most prepared.

I also have a strong sense of integrity. In a world that seems to be moving towards a fluid sense of integrity, I feel it imperative that our Judicial Officers understand the high standards they must maintain to preserve the integrity of our Courts. In many ways, the Court are the anchor of our system of government and the sanctity of the Courts is the chain that keeps us tied to that anchor. Too many Judges have been found sharing confidential information or exhibiting a biased perspective. This is simply something that cannot happen and something that I will guard against at all times.

Most experienced Judges will tell you that the most important skill a Judge can possess is the ability to listen and really hear people. I am a genuinely curious person and listening comes

naturally for me. The many hours I have spent as a Pro-Tem Judge have shown me that my love of people and our judicial process, provides me with a limitless ability to listen and reflect upon what is said.

Lastly, I feel my diverse background gives me a unique sense of perspective. I believe this background will aid me in my judgement from the bench and my ability to meet people where we find them and to be fair and thoughtful in my decision making.

In combination, I believe the traits described above will serve me well in developing a sound judicial temperament.

Please list your reasons for seeking office:

I am running for District Court Judge because, after more than 24 years serving as an attorney advocating for individuals, I would like to serve as a different kind of advocate – as an advocate for fairness and justice as a Judge. I want to address the inequities in our system by working to ensure that access to justice is not a simple platitude but becomes a reality in my Courtroom. As a Pro-Tem Judge, I hold offenders accountable for their actions while also ensuring that the justice system serves proactively to diminish further violation of the law.

Have you been involved in partisan politics in Washington State before? Please give details:

I have volunteered for various campaigns, but I have never been a candidate nor held an office within a political party.

Have you run for an office before? Please give details:

No

Have you held office, either elected or appointed? Please give details:

No

What do you believe will be the three most important issues in your campaign?

I would like my campaign to focus on:

- 1) Equal access to justice and the Courts
- 2) Accountability & Fairness
- 3) Methods of keeping offenders employed during pre and post-trial procedures and punishment

What is the role of the judge?

Simply stated, the role of a Judge is to apply the law to the facts and deliver a judgement uninfluenced by bias or personal agenda. However, the reality of a Judge's role cannot be simplified. In my opinion, a Judge is given authority to serve his/her community through the

utilization of that authority in a fair, balanced, unbiased and judicious manner. The authority given to a Judge is borrowed so that they can perform a specific function for their community. This is why a Judge's role is of a sacred nature.

Off the bench, a Judge must be a conscientious representative of the judiciary and the people they serve. A Judge must conduct their personal life in manner that does not negatively impact their office and their community.

Have you previously served on the bench?

I have served as a Pro-Tem Judge in both King and Snohomish county.

Please summarize your legal practice (prior to taking the bench if applicable).

I started as a Deputy Prosecuting Attorney on the Olympic Peninsula. I worked for a year with a small PI firm in between the two prosecutor positions I held. I then opened my own firm and initially built my reputation ghost writing for other more prestigious lawyers and taking on cases that were too complicated or hopeless for other attorneys to want to be involved. As my solo-practice grew, I was invited to join a firm with three other attorneys in Bellevue Washington. I did this for five years before opening my own firm. Since then, I have been both a small business owner and a lawyer. I have had up to four people working for me at one time. My practice over the last 11 years has consisted mainly of criminal defense, Protection Orders (Petitioner and Respondent), PI and Family Law matters.

What do you perceive as the greatest obstacles to justice, if any?

Money, in my opinion, is the greatest obstacle. While race is regrettably still a significant issue that needs to be addressed, we must also be concerned with financial equity, cultural equity, gender equity and social equity. The goal must be for equal access to justice regardless of racial, financial, cultural, gender and social issues. Additionally, our efforts cannot begin and end in the courtrooms. We must be ever diligent and proactive at all levels within our system of justice. A failure at one level will, in turn, cause failure, in varying degrees, at all levels. I believe we should be collecting concrete and specific data to assess the Court's successes and failures in the quest for equal and fair treatment of everyone who comes before the Court. We may all have the goal of equity and equality within our Justice System; however, without empirical data maintained at an ongoing basis, we will never know with certainty if we are achieving that goal. I want to better utilize a tracking system within the Court to document and address the discrepancies that exist between cases handled by private attorneys and public defenders. I believe that those with decreased financial means receive disparate treatment and this is a systemic injustice. Lastly, there are financial inequities outside of the Courtroom as well. For example, given the size of Pierce County and the centralization of the Courts within Tacoma, there are financial concerns about even getting to Court, taking time off from work to participate in Court and child-care issues that affect being present in Court. All these issues can potentially act as barriers to justice.

Do you believe there is under-representation of women or people of color in the court system? If so, how would you work to correct the problem?

I understand the question asked but I would like to start by addressing under-representation in areas other than just women and/or people of color. If a Judicial System is going to be accessible and address the needs of everyone, it needs to reflect the diversity of its community. This means the Court should have representation from all aspects of the community it serves. Accordingly, the Court should have representation from both genders, all races, and different cultures. I also believe you need diversity in legal experience as well. One of the symbols of our Justice System is a balanced scale. This symbol is not just a representation of the Court's task of balancing both sides of an argument. It is and should be a symbol of the balanced perspective of the Court. You cannot have a Court of all men, all women, all Caucasians nor of all people of color. Additionally, you cannot have all civil attorneys, all plaintiff's attorneys, all prosecutors nor all criminal defense attorneys. The goal should be a cross section of everyone from every background and walk of life. While the quality of the individual Judges on the Pierce County Bench is quite respectable, the Court currently lacks balance in many ways. Addressing this problem is difficult as a single lawyer or Judge. With regard to appointments, we currently have a Governor who considers the diversity of a county's Bench when making appointments. We need to support those people who are brave enough to put themselves out there and run for a judicial office; especially when their very presence on the bench will bring diversity and balance to the Bench they wish to serve.

Do you believe that all citizens have adequate access to legal help and the legal system? If not, what can be done to provide wider and better access?

No, I do not. One of the greatest sources of my pro bono work is being in Court and seeing someone who cannot afford an attorney struggling through our complicated Court system. I often approach the person and offer my services on a pro bono basis. This illustrates one of the biggest problems with access to our system: money. If you cannot afford an attorney, you are at a distinct disadvantage; especially in civil matters. The Courts try to compensate by having instructions and forms available for pro-se litigants; however, these cannot provide assistance in all situations.

Addressing this issue is difficult. While many attorneys are like myself and volunteer some of their time for pro bono work, there is no requirement that attorneys do this. Additionally, Judges are prohibited from giving legal advice. Hence, even if a Judge sees that a person is filing the wrong paperwork, they are often precluded from telling the litigant which forms to use. I believe three measures could be put in place quickly and with little cost to address this issue. First, I would like to see attorneys be able to earn continuing education hours through pro bono work. This will increase the motivation to take on pro bono work. Second, the lack of resources for non-English speaking individuals is a very significant barrier to access to justice. Interpreters and their availability is very important. Third, similar to a domestic violence advocate who assists DV victims in obtaining protection orders, I would like to see more advocates who could assist non-DV litigants with paperwork and Court pleadings.

What criteria would you use for deciding whether to impose or affirm sentences outside of the standard ranges?

District Court handles misdemeanors and gross misdemeanors that are not covered by the Sentencing Reform Act (SRA); hence, there is no "standard range". Judges are free to impose jail time from 0 to 364 days on gross misdemeanors and 0 to 90 days on misdemeanors. Due to restrictions placed on Judges and judicial candidates, I cannot speak directly to how I would determine jail sentences. However, I will comment that, in my opinion, punitive sanctions should be utilized so long as they are the most effective mechanism to deter future criminal behavior. We must always ask, "what are we trying to achieve and is this the best way to achieve it?". Many Courts are robotically imposing punitive sanctions without asking that critical question. Additionally, applying punitive sanctions without access to work release programs, leaves offenders jobless and without a means of paying for treatment and Court fines. This is counter-productive to what we want to achieve. I believe this approach must be re-evaluated and changed if our Courts are to be effective at decreasing recidivism and addiction. In that vein, alternatives to prosecution can be very effective. I support the use of these alternative or therapeutic courts and hope to be very active in their administration and improvement.

As a prospective judge, what do you consider to be your greatest strengths? Weaknesses?

I believe my strengths are my commitment to the law, my integrity, and my ability to be fair and impartial as a judicial officer. My extensive experience as a former prosecutor, private attorney and now as a Pro-Tem provide me with the background one needs to "hit the ground running" as a District Court Judge. We all have weaknesses and I certainly have my fair share! But my main weakness as a Judge is one many Judges have when they first join the bench and that is that most attorneys have either a civil law or criminal law background. The majority of my work has been criminal in both my time as a prosecutor and as an attorney. But I do have quite a bit of civil experience and I am a quick study who spends a great deal of time in research and preparation before a docket or my cases in private practice.

If you became aware of unethical conduct on the part of a trial advocate in a case in which you were presiding, how would you handle it? Do you believe judges should be required to report attorney misconduct?

Yes, I do believe that a Judge should be required to report misconduct. I will not turn a blind eye to misconduct. If the situation is very clear cut, then I will first make sure that opposing counsel is aware of the situation so we can address any immediate remedies that need to be addressed. If it is more of a grey area, I may seek advice from a more experienced jurist. Once the immediate concerns are addressed, I would seek guidance from the supervisory agency and the Presiding Judge to determine the best way to handle the situation. As I mentioned in a previous question, I am a bit old-fashioned about honesty and integrity.

What forms of voluntary professional and community service have you been involved with in the past? Currently?

I have engaged in hundreds of hours of Pro-Bono cases. Most recently, I aided a single-mother who was unable to hire an attorney. I assisted her in regaining custody of her son. I have previously worked with other single mothers of limited financial means. I frequently offer my

assistance as a "friend of the court" when a pro-se litigant is in Court experiencing difficulties. I believe I have developed a reputation over the years as an attorney who is truly committed to my clients regardless of whether they are paying or pro-bono. I have also offered my services on a pro-bono basis to veterans, minorities and others who could not afford legal assistance. I am extremely proud of my accomplishments on behalf of individuals who lack the resources to afford proper legal representation. My compassion and understanding of the human condition are key elements of who I am as an attorney and as a person. I believe those qualities will serve me well as a Judge.

Other volunteer work includes Habitat for Humanity, UW Law School, Snohomish County Law Day, and Coast Savers (beach clean-up). I am a founding partner of Threads of Change (a nonprofit organization focused on building self-esteem for under privileged youth). I was also a volunteer Reserve Police Officer for Bainbridge Island.

While serving on the bench, do you believe you have a role in bringing important legal or judicial issues before the public or the legislature? Why or why not? What should your role be?

Judges can and should bring issues to the Legislature and even testify before them. On the District Court, these issues are dealt with by the Presiding Judge who consult with the other members of the Bench on any given issue when the Legislature or the Executive or the County Council seeks our opinion on specific facet of the Court or the law. There are certain issues where Judges have a unique perspective and/or a superior insight. On these issues, Judges can and should engage in dialogue with lawmakers to improve or amend certain laws.

With regard to bringing issues before the public, I do not feel that is appropriate or permissible. I believe a Judge can and should be visible and accessible to the public in an effort to further education and awareness of the Court and its function; however, this would be more of education and providing information, not to effect change.

What is your general judicial philosophy?

To ensure fairness. To listen and prepare extensively for each case regardless of the case. To follow the law in a manner that encourages accountability while showing compassion.

What would you do to make District Court more efficient?

Pierce County District Court is an exceptional Court with access to many alternative programs. However, I believe that the utilization of technology to provide more of a paperless Court can improve the Court's efficiency. I also believe that video appearances should be considered for selected cases that meet a specified criteria.

What is your vision for the future of our judicial system: What changes would you advocate and why?

My vision for the future of the judicial system is one where each party, regardless of their station or means in life, is afforded the opportunity to present their case before a Judge who listens, is extensively prepared, and explains the legal reasoning as he or she renders a decision.

Why should the 25th Legislative District Democrats support you over any other candidates running for this position?

I bring a varied and diverse background that my opponent does not have. I am honored to have served as a Pro-Tem Judge, a prosecutor, and as an attorney in private practice. I have worked in the private and the public sector; hence, I understand what it is to represent my community and my local government as a public employee and I also know what it is to run a small business and work one-on-one with clients. I have worked under and mentored by three elected Prosecuting Attorneys. I have handled both criminal and civil matters. I have seen first hand how District Courts across the State handle their cases and how they function administratively. I believe that my nearly 25 years of deep and broad experience make me well suited to be an asset to the Bench right from the start. Lastly, while I have handled many cases in Pierce County, I am not associated with or attached to any defense or prosecution agency. Accordingly, I have the unique ability to be completely unbiased and uninfluenced by any lingering loyalty. This will allow me to judge each case solely on the merits with my strong reputation of fairness and justice.

Are there any additional comments you would like to share with the 25th Legislative District Democrats?

In an earlier question, you asked if I believed that women and people of color are under-represented. In the spirit of that question and my answer, it occurs to me that my opponent; Tim Lewis, has looked at the legal profession through mainly one lens; to wit, that of a Deputy Prosecuting Attorney. I personally believe that the ability to see a situation from many different angles and through many different lenses is critical to sound judgement making. I am someone who has deeply held beliefs about the sanctity of our government, the separation of the branches of government and our judiciary. One of the reasons that judicial races are non-partisan is that Judges must be objective in appearance and in reality. My core beliefs about integrity, impartiality and our legal system are the characteristics that help make me who I am. I hope that my answers have accurately relayed my beliefs to this Committee and that I have been able to communicate how deeply I hold these beliefs. I want nothing more than to serve justice within my community.

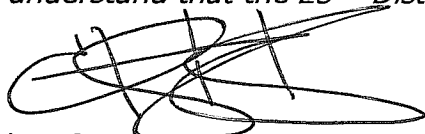
To be successful as a Judicial candidate in Pierce County, one must do well in the 25th Legislative District. My analysis of previous contested judicial elections in Pierce County clearly demonstrates the important role your District plays in a candidate's success or failure county-wide. I will be campaigning extensively in the 25th District throughout the summer and fall. Thank you very much for your personal involvement in this important process.

Respectfully,

Lizanne Padula

Candidate, Pierce County District Court Judge #3

My signature below signifies that I am seeking the endorsement of the 25th District Democrats. I understand that this endorsement may or may not come with monetary support. I also understand that the 25th District Democrats may withdraw its endorsement.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Candidate Signature:

Today's Date: 6-26-18

Please return your completed questionnaire to edwherde@gmail.com