

AMERICAN BAR ASSOCIATION

Silver Gavel

2007 AWARDS PRESENTATION
FOR MEDIA and THE ARTS

Celebrating 50 Years

Recognizing Outstanding Efforts
to Foster Public Understanding of Law





COMMITTEE COMMENTARY

In 2006, the citizens in Washington State were asked to vote in three races each at both the Court of Appeals and Supreme Court levels. In what became a controversial, expensive and often tumultuous campaign season, voters had to choose among nine candidates vying for the three Supreme Court positions and six for the three Court of Appeals seats. Recognizing that huge amounts of money and often questionable campaign materials were being distributed by partisan interest groups, the King County Bar Association put together a broad coalition of organizations to fund a comprehensive, nonpartisan “information resource” website that, for the first time, offered voters—with just a few clicks of the computer—the chance to educate themselves about the candidates and, more generally, about their court system. Co-sponsors of the site included the state’s League of Women Voters, the Association of Corporate Counsel, and the Seattle University School of Law, groups not usually accustomed to working so closely with others on judicial issues. In addition to allowing voters to see quickly which races they have to vote on, visitors to the site could find information on candidates’ answers to a detailed questionnaire, candidate ratings and endorsements by various groups, newspaper endorsements, information on campaign contributions, and links to news articles and editorials, among other services. The [votingforjudges.org](http://www.votingforjudges.org) website was widely praised by citizens, community groups, and the media. It should serve as a shining model for many other communities around the nation that wish to elevate the tenor of the debate surrounding judicial election campaigns and give voters sufficient information to cast informed votes.

www.votingforjudges.org

King County Bar Association
Seattle, Washington
Paul Fjelstad, *Web Designer*
John Ruhl, *KCBA President*
Charles Wiggins, *AJS—
Washington Chapter President*



Paul Fjelstad



Charles Wiggins



INTERVIEW WITH JOHN RUHL

A commercial trial lawyer, arbitrator, mediator, and former news reporter, John Ruhl is the 2006–2007 president of the King County Bar Association in Seattle. He was instrumental in creating and developing the site, working with Paul Fjelstad, a lawyer and the www.votingforjudges.org web designer; Charlie Wiggins; and others.

Where did the initial idea for www.votingforjudges.org come from?

In summer 2004, a coalition of Washington State bar associations and good government groups was formed to improve Washington’s judicial selection process. This led to a summit conference in late 2005, at which Rep. Shay Schual-Berke suggested the concept of a website that would provide voters with more complete and impartial information about judicial candidates. Coalition members formed a steering committee to pursue the proposal. The steering committee developed several core principles for the website designer’s guidance, including: (1) the content of the website should be as inclusive as possible; (2) it should emphasize the characteristics voters should look for in judicial candidates, as opposed to ideological positions; (3) the site should include data regarding financial contributions and independent expenditures for and against judicial campaigns; and (4) the project should have as many organizational co-sponsors as possible, for purposes of credibility, fundraising, and a grassroots publicity network.

How do you think www.votingforjudges.org treats or offers insights or perspectives on legal issues and legal institutions?

Two major complaints by voters are that they do not understand the judicial system and that they have little or no meaningful information by which to evaluate judicial candidates. The website helps voters understand how Washington’s election process works. It sets out particular characteristics that good judges should have and it provides voters with facts, as well as a broad range of perspectives regarding judicial candidates. Ratings and evaluations are accepted not only from organizations that evaluate candidates through the uniform and impartial use of established and published criteria, but also from ideologically driven organizations. Some voters might choose or reject judicial candidates based

upon bar association ratings; others might choose or reject them based on certain ideologically based endorsements.

How does the website foster public understanding? What do you see as its public impact?

We are confident that as the website becomes better known, it will continue to help Washington voters become more comfortable and knowledgeable in choosing among judicial candidates. We also believe that the website will help foster a better understanding of the role of the courts as a separate and independent branch of our government. The website has been particularly effective in educating the media about judicial candidates and the court system. During the 2006 election, the media were instrumental in publicizing both the existence of the website and the information it contained, particularly the sources of expenditures by special interests for television advertising. The financial information was potentially available through the Washington Public Disclosure Commission (PDC), but in a form that was daunting and quite difficult to decipher. Webmaster Paul Fjelstad’s up-to-the-minute summaries of the PDC’s campaign finance data were praised in the media. In fact, reporters came to rely upon and cite the website for its regular updates on judicial campaign funding. For the long term, we hope that the website will serve as a model that can be replicated easily and inexpensively in other states.

What does winning the Silver Gavel from the ABA mean to you?

The Silver Gavel Award will help us establish credibility for the website as an unbiased, reliable source of information about judicial candidates. This in turn will help us obtain stable sources of funding and a permanent home for the website.

VotingforJudges.org*An information resource for Washington voters***Sponsors**

- American Judicature Society
- Association of Corporate Counsel, Washington Chapter
- Association of Washington Business
- King County Bar Association
- Kitsap County Bar Association
- League of Women Voters of Washington
- Liability Reform Coalition
- Loren Miller Bar Association
- Municipal League of King County
- Northwest Indian Bar Association
- Seattle University School of Law
- Spokane County Bar Association
- Tacoma-Pierce County Bar Association
- University of Washington School of Law
- Washington Association of Prosecuting Attorneys
- Washington Defense Trial Lawyers
- Washington State Bar Association
- Washington State Trial Lawyers Association
- Washington State University, Spokane
- Washington Women Lawyers

Ratings and Endorsements

Votingforjudges.org does not rate or endorse any judicial candidates. Our goal is to gather information impartially from an array of diverse sources and to make that information available in a convenient single location so that voters can make fully informed decisions. The evaluations included here result from the different processes used by the various included organizations. We believe that the most helpful evaluations result from a careful, systematic process that draws upon candidate questionnaires, interviews with sources and references, and consideration of the characteristics that make the best judges. But we recognize that some organizations base their ratings and endorsements on largely ideological considerations and we include those ratings here as well.

In considering any rating or endorsement, voters should evaluate the evaluators. Voters should carefully consider the process used to arrive at the rating as well as the factors that go into the rating.

The evaluations here are divided into three categories.

- Candidate ratings, which result from evaluative processes that consider a variety of judicial characteristics.
- Newspaper endorsements.
- Organizational endorsements, which result from consideration of ideological considerations.

Frequently Asked Questions**1. Why do we elect judges in Washington?**

In some states, judges are appointed. Most states, including Washington, have judicial elections of one form or another. Opinions vary on which method of selecting judges is the best: Some people feel that judicial elections keep power in the hands of the people; others feel that judges should not be subject to the political forces that often accompany elections. Because the Washington Constitution specifies that judges are to be elected, any change in Washington's judicial selection process would require a constitutional amendment.

2. Why are judicial elections important?

Judges make decisions about fundamental issues that affect all of us (family life, education, health care, housing, employment, discrimination, civil rights, public safety, etc.), and those decisions can have long-lasting impact. It is critical that our judges make fair decisions based upon open-minded and unbiased consideration of the facts and the law in each case. Judges must know the law, be independent, and be free from external political and economic influences. Voting for qualified judges really does protect the courts – for all of us!

5. Where did you get information about the candidates?

Candidates submitted information to the Administrative Office of the Courts for its Judicial Voter Guide. We have duplicated most of that information here for appellate candidates.

In addition, we sent our own questionnaire to each candidate running for the Supreme Court and the Court of Appeals. For those candidates who responded, we have made their responses available on the candidates' individual pages at this site. Some candidates had already completed a very similar questionnaire at the request of the King County Bar Association; for those candidates, we include their completed KCBA questionnaires.

For Spokane County District Court races, we include the questionnaires they returned to the Spokane County Bar Association.

If we do not receive any response from a candidate, we are unable to provide any answers. We do include links to the candidates' official websites. We have also included financial information from the Washington Public Disclosure Commission, which regulates elections in the state.

8. How can I monitor the work of Washington's appellate courts?

We are very lucky to live in a state where access is so simple! You can sign up with the Administrative Office of the Courts to receive an email notification whenever new decisions are issued. Your notice should normally arrive within 30 minutes of a Supreme Court opinion's filing. (Under current practice, the Supreme Court generally releases its decisions on Thursday mornings.)

TWV offers full coverage of the Washington Supreme Court's oral arguments. You can watch these arguments through many cable providers; the arguments are also archived and available via streaming media at TWV.org.



Go online to www.votingforjudges.org and click on the tab for "2006 Archives."