

46th District Democrats Judicial Questionnaire

Candidate Information

Candidate Name: Cathy Moore

Office sought: King County Superior Court

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Have you read the 46th LD Democrats Draft 2016 Platform? Yes X , No _____
(Go to [http://www.46dems.org/2016 ld caucus](http://www.46dems.org/2016_ld_caucus) and click "Draft Platform")

Why are you running for this office?

Over the past 25+years in my work as a lawyer or judge, I have sought to ensure that justice is accessible and equal in its application. I believe the availability and substance of justice should not be determined by one's financial circumstances, skin color, ethnic origin, gender, sexual orientation or any other external status.

I seek to continue this work as a King County Superior Court judge. There lies the opportunity to remove barriers to justice by improving the racial diversity of jurors, tackling implicit bias in judges and jurors through education, lessening the burden of legal financial obligations, and beginning to shut down the school to prison pipeline by ending the use of detention for truancy and other status offenses.

The current King County Superior Court bench contains a majority of former prosecutors yet the bulk of the work of the court is civil in nature and although general numbers are down, domestic cases still outnumber criminal cases. The past five years have seen a marked increase in the number of guardianship, probate, mental illness and truancy cases. The first quarter of 2016 alone has seen a dramatic increase in the number of these cases as well as juvenile dependencies, juvenile dependency terminations, adoptions and youth-at-risk cases. The court needs more members who have practiced and judged in these areas. It also needs more judges who are comfortable with handling the "messy" work of families in conflict; be it custody, guardianship, dependencies, or youth-at-risk. The court needs judges who are supportive of problem-solving or therapeutic courts such as drug court and family treatment court. And, the court needs judges with a diversity of life experience who can bring that experience to bear on the challenging matters of human relationships. As outlined below, I have extensive experience in all of these areas as well as broad and diverse life experience.

Please briefly describe your qualifications for this office and your personal and professional background.

Judicial and Hearing Officer Experience: Approximately 2 years

Judge: Washington State Office of Administrative Hearings – Department of Social and Health Services and Department of Transportation cases. Approximately 2 yrs.

Judge Pro Tem: King County Superior Court – family court (divorce, custody, child support, paternity, domestic violence protection orders), juvenile court (ARY/CHINS/Truancy and Offender), mental illness court. 6 yrs.

Commissioner Pro Tem: King County Superior Court - family court, juvenile court, and mental illness court. 6yrs.

Judge: Lummi Nation Tribal Court – criminal and civil cases; drug court. 6 mths.

Disciplinary Hearing Officer: Washington State Bar Association – attorney disciplinary proceedings. 2 yrs.

Appeals Hearing Officer: Seattle Human Rights Commission – appeals of employment/housing/public accommodation discrimination decisions by the Seattle Office of Civil Rights. 2 yrs.

Legal Experience: 20+years

Trial Courts:

King County Superior Court: juvenile dependency, juvenile dependency termination, juvenile offender, mental illness, family, guardianship, Guardian ad Litem, CASA. 6yrs.

Federal Way District Court: misdemeanors. 6 mths.

Brooklyn Criminal Court: misdemeanors. 6 mths.

Appellate Courts:

Washington State Court of Appeals: criminal and civil appeals. 2 years

International:

New Zealand Ministry of Consumer Affairs: Consumer Rights/Predatory Lending. 2 yrs.

Legal Services:

Managing Attorney, King County Bar Association Family Law Program – legal services program for indigent domestic violence victims in contested custody and child support cases. 2+ yrs.

Mediation Experience:

WSBA Mediator Program; New Zealand Restorative Justice Services; King County Dispute Resolution Center training; U.W. Law School Mediation Certification Program.

In addition to the above experience, I served as the City of Seattle City Clerk, managing the legislative operations of the City Council per the City Charter and Revised Code of Washington and managing a staff of 17 and a budget of over \$1million dollars. I also served as a Policy Adviser/Legal Assistant to former Seattle City Council President Richard Conlin. Currently I am serving as legal counsel for Pacifica Landscapes, my husband's growing landscape design and build company.

I am almost a Seattle native, having been conceived on a house boat on Lake Union and returning at the age of 4 when my single mother received a scholarship to attend the University of Washington. As a teenager, I went to live with my father in upstate New York. I attended high school, college and law school back east. After graduating early from college, I moved to Boston and worked at the VA hospital until I joined the Peace Corps. My Peace Corps service took me to Morocco where I taught for two years. After returning home, I worked as an editorial assistant for a children's book publisher in New York City until I began law school. I worked my way through law school as a legislative aide for the New York State Assembly Minority Leader's Office. Upon graduating from law school I went to work as a public defender for the Brooklyn Legal Aid Society. Missing the rain and gray skies of Seattle, I moved back and worked for many years as a public defender and solo practitioner. I took a hiatus from the practice of law to work as a Child Protective Services caseworker.

After the birth of our first son, my husband and I moved to New Zealand where he attended graduate school. During those years, I worked as a residential aide at a nursing home until I was eventually able to obtain a position with the Ministry of Consumer Affairs. Four- and- half years later, we returned to Seattle with our three young sons in tow. I spent the next fifteen years gaining judicial, managerial, legislative and Board service experience. I also volunteered my time to work on issues of access to justice, social justice, racial justice, reproductive rights, voter registration, served as a PCO in the 34th and 46th legislative districts, regularly volunteered at the North Seattle Helpline Food Bank, and volunteered at all three of my sons' schools. Three years ago my mother suffered a debilitating stroke and came to live with us. Sandwiched between caring for my mother and sheparding my oldest two sons through their last years of high school, I took a hiatus from community service. My mother is now living happily close by. Our eldest is attending Western Washington University after serving for a year as an AmericaCorps volunteer. Our middle son is finishing his first year at the United States Military Academy at West Point, and our youngest is a full-time Running Start student at North Seattle College.

What's your plan to win?

Seek endorsements from legislative districts, party organizations, labor, women's groups, police, firefighters, community groups, elected officials, judges, lawyers, individuals; raise money through campaign finance committee; social media; mailings; attend community events, community meetings.

What do you see as the most important functions of the position you are running for? What qualities do you possess that make you the candidate best suited to this role?

The most important function of a judge is to impartially and fairly resolve disputes based on the facts and law presented. A judge must approach every case with an open mind. A judge must ensure the parties feel they were heard and that their concerns were given due consideration. A judge must be a good communicator, an effective courtroom manager, issue rulings and decisions promptly and be respectful and patient. A judge must be conscientious and diligent. And, a judge must be willing to make the decision required by the law irrespective of the judge's personal beliefs or popular sentiment.

I have close to eight years of judicial experience as a judge pro tem, tribal court judge, and administrative law judge, working with represented and pro se parties. My judicial work has been commended by sitting Superior Court judges as well as my peers. I am a good listener, clear communicator, effective manager. I am thoughtful and hard working. I strive to be a “critical practitioner” always looking for ways to improve upon on the delivery of justice personally and systemically.

Have you engaged in pro-bono work in recent years? If so, please describe that activity and if/how that was meaningful to you.

Recently I served as Chair as the Seattle Human Rights Commission. As Chair, I advocated for an independent civilian review board with subpoena power to review police misconduct. I advocated for the end of use of solitary confinement, sending a letter to Federal District Court Judge Richard Jones urging the release from solitary confinement of three May Day protestors. I advocated with the Juvenile Rehabilitation Administration to not honor ICE detainees for juveniles. My signature achievement was the designation by the City Council of Seattle as a “human rights” city dedicated to the attainment of the all rights set forth in the U.N. Declaration of Human Rights.

I also served for three years on the Washington State Bar Association Board of Governors. I am most proud of the work I did on behalf of legal aid funding. I conceptualized a new revenue stream for civil legal aid that has raised \$1+million dollars. I also secured \$1+million in emergency funding for statewide legal services delivery during the recession of 2008-2009.

Other examples of my pro-bono work include volunteering at the REWA legal clinic, serving on a Youth Justice Accountability Board panel, volunteering with the WSBA Pro Bono and Legal Aid Committee.

It has often been said that it is the duty of legislatures to pass laws and the duty of courts to enforce them. However, courts at all levels have invoked principles of interpretation to adapt legislation and constitutional provisions to a myriad of controversies. Two such principles are "public interest" and "original intent". Please now respond to the following questions based on your legal and personal experience. Include specific examples to illustrate your answers where possible.

When reviewing cases, how do you define what is in the “public interest”?

I have no simple answer for this question. Generally, the “public interest” is viewed as benefiting society at large versus an individual. It is more inclusive, broader in scope. But in the case of the sealing of juvenile court criminal records, for an example, a “public interest” argument can be made for sealing as well as not sealing. The standard “public interest” argument is that an open judicial process is in the public’s interest because openness promotes accountability and public safety. The counter-argument is that public access to juvenile court records is contrary to the rehabilitative goals of juvenile justice and juveniles should have a second chance, i.e. openness compromises the individual juvenile’s future life opportunities. In this instance, I believe a “public interest” argument can also be made for sealing juvenile criminal records. Young adults with juvenile records find it difficult to secure employment and housing, they are denied student aid. The welfare of the community is enhanced when all its members can participate. Sealing the records makes participation possible and, hence, it serves a public interest. So which “public interest” should prevail? In this particular instance, I agree with the Washington State Supreme Court’s decision upholding the sealing of juvenile court records. On the other hand, as a former board member of the Washington Coalition for Open Government, I do believe an open government and informed citizenry is in the “public interest” as foundational to a functioning democracy.

With special regard to our state constitution, should the "original intent" of the document be considered when addressing modern legal disputes? If so, how do you balance it against arguments that the constitution is a "living", not static, document?

This is a complicated issue that I don't have the time to fully address. There is an excellent Gonzaga Law Review article, "Toward a Theory of the Washington Constitution" that I highly recommend. In short, it is my opinion that the original intent of the framers of our constitution should be considered but that the inquiry doesn't stop there because our state constitution is a living document, evidenced by its repeated amendment since its adoption in 1889. As society evolves, so should our understanding of the law.