

46th District Democrats Judicial Questionnaire

Candidate Information

Candidate Name: Charles "Charlie" K. Wiggins

Office sought: Supreme Court Justice Pos. 6

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

Why are you running for this office?

1. Public service has always been an important part of my life and I enjoy serving the public full time as a Justice of the Supreme Court. The importance of public service was impressed on me at an early age because I grew up in the military service as the son of a career Army warrant officer. I've always tried use my legal career and talents to serve others by teaching seminars for lawyers, providing pro bono legal services to those who cannot afford a lawyer, and serving on a wide variety of bar committees and community leadership boards. At this point in my career, instead of serving clients one at a time, I appreciate the opportunity to serve all the people of Washington as a Justice of the Supreme Court.
2. I believe that everyone should put their talents to their highest and best use, which for me is serving on the Supreme Court. As a Justice for the past six years, I have first-hand experience in the tasks that are the responsibilities of the Supreme Court. I also have the ability to draw on 40 years of professional experience to address new challenges facing our justice system.
3. I wish to leave to my children a better society, guided by the best principles and policies I can find in the law. I know that I have the experience and wisdom to

assist the Court in interpreting laws and the federal and state constitutions to improve society.

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

I have been a Justice on the Washington Supreme Court since 2011. Prior to serving on the Court, I was an attorney specializing in appellate practice, a pro tempore judge, and a judge on the Washington Court of Appeals, Division II. I have forty years of legal experience, most of it focused on appellate issues. As an attorney, I have taught at over 100 seminars on various legal issues, primarily having to do with appellate practice. I served on the State Bar Court Rules and Procedures Committee, several years as chair, and have extensive experience with the process of writing and amending court rules. I also have considerable experience with lawyer discipline, having served on the Disciplinary Board and as a hearing officer. I received a B.A. from Princeton University, an MBA from the University of Hawaii, and a law degree from Duke University.

My community and civic activities span several areas. I have served in a variety of leadership roles in my church, Rolling Bay Presbyterian Church on Bainbridge Island. I led five youth mission trips with the Church to build houses in Tijuana, Mexico, and I was the leader of two trips to help with recovery from Hurricane Katrina in New Orleans. I was involved with the Kitsap Habitat for Humanity to organize the lawyers of Bainbridge Island to fund and build a Habitat house for a single mother and her family on Bainbridge and another home for a single mother and her family in Suquamish. I spent a year as a citizen member of the Editorial Board of the Kitsap Sun, which helped me understand the wide range of community issues and concerns in my home county and taught me about the way newspapers approach public issues. I also served on the Bainbridge

Island Civil Service Commission, which has given me insight into the functioning of an administrative body and the functioning of the police department, which is the primary concern of the Commission.

Please see my attached resume for more detail on my background.

What's your plan to win?

My campaign is making great progress at this early stage. The reception has been very positive, as exemplified by my strong list of early endorsers. My campaign will appeal to voters because of the main message of my candidacy: I have shown that I have the integrity, impartiality and independence for the position of Supreme Court Justice.

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?

Personal integrity: Judges must be committed to following the law in their personal lives and behavior just as they are committed to following the law in the cases they decide. I have tried to live up to the legal and ethical demands placed on all of us by society and by my personal faith. I have never been charged with any violation of the ethical rules governing lawyers.

Impartiality: Judges must be able to set aside their personal biases and opinions and decide cases under the law, hearing all sides of the case without preconceived notions of the right outcome. As an attorney, I represented litigants on both sides of just about every type of issue that comes before our courts. I have no agenda to accomplish a particular outcome or to move the law in a particular direction, but can remain impartial.

Independence: Judges must remain free of extraneous influences that might bias their decisions in a particular direction. I am not beholden to any special interest group for election, but am supported by a broad variety of citizens from all walks of life.

Conscientious: A Supreme Court justice must be motivated to carry out the responsibilities of the court diligently and promptly. No supervisor monitors the judge's performance. I have always been a self-starter, applying myself diligently to fulfill the obligations I have undertaken.

Collegiality: The Supreme Court is a collegial court, requiring judges to work together to reach the right decision and craft opinions joined by a majority of the court. I have a track record of working with my colleagues on the Court and in a variety of settings, including bar committees, church groups, Habitat for Humanity projects, and other groups.

A heart for justice: I was willing to give up a successful and lucrative private practice because I have a deep desire to see justice done in every case, to protect the rights of those who have been wronged, to support reasonable and just punishment on those

who have broken the law, and to provide fair recompense for those who have been injured.

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

I have been serving on the Supreme Court for the past six years. Prior to winning election to the Supreme Court, I represented clients on a pro bono basis throughout my career, including handling appeals. I also strongly support the pro bono efforts of my former partner and associate. For example, I represented an African-American woman who had lived with her husband in a home for many years, paying her husband's parents to purchase the home from them. When the husband filed to dissolve the marriage, he and his parents claimed that he and my client had only been renting the house from his parents. I successfully appealed a summary judgment dismissing her claim of ownership. In another appeal I represented a school teacher seeking to enforce her ex-husband's obligations to help pay for their children's college educations. I estimate I devoted 60-100 hours on each of these appeals. In 2008 and 2009, my pro bono efforts consisted of writing and filing two amicus briefs in the U.S. Supreme Court in *Caperton v. Massey*. I estimate this consumed 100-200 hours.

I have also volunteered at the pro bono legal clinic at the Union Gospel Mission in Seattle. Through the clinic, I have represented about half a dozen clients in dissolving their marriages.

Although these were uncontested, they did present their challenges. One client had not seen his wife, who lived in Australia, for over 15 years. Two women had husbands in prison, one in Washington and one in New York. I probably spent 10-12 hours on each case.

My former law partner and I have also financially supported the King County Bar Foundation and Kitsap Legal Services. After the January 2010 Kitsap County Bar Association annual dinner and fund raiser for Kitsap Legal Services, KLS paralegal Lori Denton wrote to me, "I also want to thank you personally for your consistent support of our office. It is because people such as you and Mr. Masters, and others like you that we are blessed enough to still be around to assist the low income people of Kitsap County."

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"?

No single definition fits all cases. In a case involving a statute, public interest is determined by the legislative intent, subject to constitutional provisions. In a common law case, look to the historical development of the legal doctrines involved.

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?

We should always look to original intent in order to ascertain the values that underlie the intent of the constitutional provision.. For example, article I section 7 of our state constitution protects privacy, but how far does that extend when police seize a cell phone? We look to practices and