Completed forms are not confidential and will be published on-line

**2024 Pierce County Democrats Endorsement Questionnaire**

**-Judicial Races-**

Candidate Name: Philip E. Thornton

Position sought: Pierce County Superior Court, Department 10

Date submitted: March 18, 2024

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

The PCDCC may withdraw endorsement of any judicial candidate if they determine the candidate has acted in conflict with the answers provided during the screening process or it determines the candidate 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 position?

I am running for Judge of Pierce County Superior Court because I am deeply committed to the law, public service, and I want to continue to give back to the Pierce County Community. I have served the Pierce County community for over three decades as a local lawyer and Superior Court Commissioner. I bring a wealth of lived experience and wisdom to the bench and to each case I am charged with deciding. I possess the work ethic, knowledge, integrity, and empathy to distinguish myself as a Pierce County Superior Court Judge.

1. What are your qualifications for seeking this office, and what was the nature of your legal background and experience?

As a Pierce County Superior Court Commissioner, I decide a wide variety of legal issues facing the citizens of Pierce County including family law matters, minor settlements, civil supplemental proceedings, civil protection petitions, unlawful detainers, probate and estate matters, dependency matters, involuntary commitment trials, and juvenile criminal matters. I have also served in the adult felony arraignment docket. As a current Court Commissioner, I have decided many of the types of cases handled by Superior Court Judges.

Before becoming a judicial officer, I helped families and individuals in a wide array of legal matters. I have represented individuals in a variety of criminal matters in Municipal, State, and Federal Courts. The emphasis of my practice was on representation of individuals charged with serious violent felony matters. I was certified by the Washington State Supreme Court as qualified as trial counsel for individuals charged with capital murder. I have tried over 200 criminal trials including two capital murder trials. I have also represented countless individuals in family law and personal injury matters. Earlier in my career, I was appointed to represent parents in Dependency matters in juvenile Court. My unique lived experience informs a wise, nimble and creative thought process on the bench.

I have also worked collaboratively in various committees and organizations to address systemic issues facing our court systems. As a lawyer, I have been appointed by the County Counsel as the Department of Assigned Counsel Advisory Board. I have been the Private Bar Representative for the Criminal Law Best Practices Committee to address criminal case processes. I have chaired the Criminal law Section of the Tacoma-Pierce County Bar Association. I have participated in the “Friends of the Pierce County Law Library” to advise and assist in budgetary recommendations. As a Commissioner, I have participated in the Domestic Violence/Civil Protection Order Work Group to address access to the court for domestic violence victims. I am an active member in the following Superior Court committees: Local Rules Committee, Minor Guardianship Best Practices Working Group, Involuntary Treatment Act Hearings Workgroup, the Pre-Trial Release – Long Term Study Project and Family Law Committee. The ability to work collaboratively to address the concerns and deficiencies of the Court system is a significant task of a Superior Court Judge. I have demonstrated commitment to address the needs of the community through my committee work for Superior Court.

1. If your past legal practice emphasized one area of law, how will you prepare to decide other disputes?

My career as a lawyer and Court Commissioner has been distinguished by my reputation for preparedness, knowledge of the law and hard work. As mentioned above, I have had a wide and varied legal practice in the 29 years in private practice. As a Court Commissioner, I have spent the last four- and one-half years specializing in various areas of the law as noted in my previous answer. Notwithstanding, nothing can replace hard work and diligence in preparing to decide cases that touch our citizens and community. I will bring both qualities to the bench.

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

Access to justice and addressing the significant criminal case backlog due to the Covid pandemic are the two most pressing needs of the Pierce County Superior Court. In the four plus years as a Commissioner, I have seen several barriers to access to justice. Specifically, funding and resources to meaningfully appear and argue their case before a court has been a significant primary barrier. We as a Court have failed to provide timely notice of the resources and assistance available to Pro Se litigants. Superior Court provides workshops, facilitators, access to pro bono services and legal services referrals, as well as information of on-line forms available to pro se litigant. However, it appears we have not fully informed the public of these resources prior to the litigants appearing before the court. We need to be better at informing the public of the resources and services available to them prior to the day of the hearing. Often a hearing will be continued to allow a party to access the resources or services. A delay in justice is harmful to both sides of a case. Better education as to how the court system works will also eliminate the fear and trepidation in accessing the court. I have observed viable claims abandoned by litigants because of their fear of navigating the legal system.

The Covid pandemic has caused a significant backlog of criminal cases due to the lengthy time period criminal cases were not being tried in Pierce County Superior Court. A delay in processing criminal cases is a stress to the court system and community at large. I have the experience, knowledge, and skills to address this issue from Day One if elected.

1. Why should the Pierce County Democratic Party support you for this position?

While the Code of Judicial Conduct prohibits a judicial officer or candidate from aligning itself with a political party, I can represent that I share similar core values of the Pierce County Democratic Party. Equality, access to justice, equity and due process are the cornerstones of my judicial beliefs.

1. Please list your key endorsements:

**WASHINGTON STATE SUPREME COURT**

Washington State Supreme Court Justice Charles Johnson

Washington State Supreme Court Justice Susan Owens

Washington State Supreme Court Justice Barbara Madsen

**APPELLATE JUDGES**

Washington State Court of Appeals, Division II, Linda CJ Lee

Washington State Court of Appeals, Division II, Judge Meng Li Che

Washington State Court of Appeals, Division II, Lisa Worswick (Retired)

**PIERCE COUNTY SUPERIOR COURT JUDGE**

Pierce County Superior Court Judge Tateasha Davis

Pierce County Superior Court Judge Timothy Ashcraft

Pierce County Superior Court Judge Michael Schwartz

Pierce County Superior Court Judge Thomas Quinlan

Pierce County Superior Court Judge Diana Kiesel

Pierce County Superior Court Judge Grant Blinn

Pierce County Superior Court Judge Edmund Murphy

Pierce County Superior Court Judge Garold Johnson

Pierce County Superior Court Judge Susan Adams

Pierce County Superior Court Judge Jennifer Andrews

Pierce County Superior Court Judge Matthew Thomas

Pierce County Superior Court Judge Sabrina Ahrens

Pierce County Superior Court Judge Gretchen Leanderson

Pierce County Superior Court Judge Joseph Evans

Pierce County Superior Court Judge Stanley Rumbaugh

Pierce County Superior Court Judge Philip Sorensen

Pierce County Superior Court Judge Angelica Williams

Pierce County Superior Court Judge Clarence Henderson

Pierce County Superior Court Judge Alicia Burton

Pierce County Superior Court Judge Andre Penalver

**RETIRED PIERCE COUNTY SUPERIOR COURT JUDGES**

Retired, Pierce County Superior Court Judge Elizabeth Martin

Retired, Pierce County Superior Court Judge Frank Cuthbertson

Retired, Pierce County Superior Court Judge Thomas Felnagle

Retired, Pierce County Superior Court Judge Kitty-Ann van Doorninck

Retired, Pierce County Superior Court Judge Brian Tollefson

Retired, Pierce County Superior Court Judge Kathryn Nelson

Retired, Pierce County Superior Court Judge Stephanie Arend

Retired, Pierce County Superior Court Judge Vicki L. Hogan

Retired, Pierce County Superior Court Judge Roseanne Buckner

Retired, Pierce County Superior Court Judge Jack Nevin

Retired, Pierce County Superior Court Judge James Orlando

Retired, Pierce County Superior Court Judge Rosanne Buckner

Retired, Pierce County Superior Court Judge John Hickman

**PIERCE COUNTY SUPERIOR COURT COMMISSIONERS**

Pierce County Superior Court Commissioner Barbara McInvaille

Pierce County Superior Court Commissioner Clint Johnson

Pierce County Superior Court Commissioner Doris Walkins

Pierce County Superior Court Commissioner Ingrid McLeod

Pierce County Superior Court Commissioner Karen Watson

Pierce County Superior Court Commissioner Mark Gelman

Pierce County Superior Court Commissioner Robyn Lindsay

Pierce County Superior Court Commissioner Terri Farmer

Pierce County Superior Court Commissioner Amber Austin

**DISTRICT COURT JUDGES**

Pierce County District Court Judge Claire Sussman

Pierce County District Court Judge Kevin McCann

Pierce County District Court Judge Jeanette Lineberry

**MUNICIPAL COURT JUDGES**

Tacoma Municipal Court Presiding Judge Drew Henke

Tacoma Municipal Court Judge Steven Krupa

Tacoma Municipal Court Judge Dee Sonntag

Fife Municipal Court Judge Kevin Ringus

Puyallup Municipal Court Judge Andrea Beall

Lakewood Municipal Court Judge Lisa Mansfield

Fircrest Municipal Court Judge John Miller (Retired)

**ADMINISTRATIVE LAW JUDGES**

Anita Booker-Haye

Harry Steinmetz

**Department of Assigned Counsel**

Michael Kawamura, Director

Mary-Kay High, Deputy Director

**ELECTED OFFICIALS**

Pierce County Executive John Ladenburg (Former)

Tacoma City Council Member Sarah Rumbaugh

1. Provide ratings from any Bar Associations, either in this election or a prior one.

Tacoma Pierce County Bar Association – Sept. 2021 – “Exceptionally Well Qualified”

Pierce County Washington Women Lawyers - Feb. 2022 – “Exceptionally Well Qualified”

Pierce County Minority Bar Association - Feb. 2022 – “Exceptionally Well Qualified”

Loren Miller Bar Association – Jan. 2022 – “Exceptionally Well Qualified”

Washington Women Lawyers Association – Feb. 2022 – “Exceptionally Well Qualified”

QLAW – Feb. 2022 – “Exceptionally Well Qualified”

LBAW – Feb. 2022 – “Exceptionally Well Qualified”

1. Has any professional or disciplinary body made a finding that you violated any rule or code of judicial or professional conduct? If so, please provide a full explanation.

No.

1. To what Bar groups or sections do you belong now or have belonged to in the past?

Washington State Bar Association, Member, 1990 to present.

U.S. District Court for the Western District of Washington, 1992 to present.

Tacoma-Pierce County Bar Association, Criminal Law Sec. Representative, Board of Directors: 2015-2017

Washington Association of Criminal Defense Lawyers, Member, 1991 to 2019; Board of Directors, 2012-2016

Washington Defender Association: Member, 2010 to 2019

National Association of Criminal Defense Lawyers, Member, 1991 to 2019

California Attorneys for Criminal Justice, Member, 1997 to 2019

1. How have you supported pro bono or low-cost legal services?

Throughout my career as a lawyer, I was afforded the opportunity to represent various individuals in an appointed capacity. I have been appointed to represent hundreds of individuals charged with crime in State and Federal Courts. I have been appointed to represent parents in Dependency matters before Juvenile Court. I have participated throughout my career in the Tacoma Pierce County Bar Association Pro-Bono Clinics and Pro-Bono Lawyer Referral program.

1. Do you have a judicial philosophy? If so, please describe:

Barack Obama once stated: “What engenders respect for justice is not the particular outcome that a judge arrives at but, rather, the intellectual rigor and honesty with which the judge arrives at a decision.” I believe the quote embodies the type of judge I wish to be. I aspire to be a judge with patience, empathy, and integrity. I have the strong work ethic to pursue creative and courageous decisions which instill confidence in our judicial system.

1. How is being a judge different than being an attorney?

As a current judicial officer, I was humbled by the vast difference in the skill sets required to be a judicial officer versus an attorney. Certainly, a good knowledge of the law, a sense of fairness and rationality are important qualities of a judicial officer. A good judicial officer also possesses the traits of patience, empathy, respect, and dignity for each litigant. The ability to remain impartial and independent throughout the proceedings is a must for a successful jurist. However, I found the ability to make courageous, creative decisions is also an essential quality to possess. Those characteristics differ from the characteristics needed of an attorney for the zealous advocacy of a client.

**IF ELECTED TO THIS POSITION…..**

1. How would you educate and inform the public about your court and the justice system?

Staying active in the community and service organization is one of the best ways I have found to educate and promote the Pierce County Superior Court. I participate in several community groups such as the Lawyers Helping Hungry Children and Habitat for Humanity. I also volunteer at several food banks in the community. I speak with individuals about what I do and what they could and should expect from the court system. Judges should participate in programs which focus on equity and justice such as Law Day and Voices of Democracy. Continued and concerted contact with the community will ease the informational divide regarding the court and its function.

1. What would you do to provide greater access to the civil judicial system, regardless of economic status?

We as a Court need to promote and educate our community in the programs which already exist to assist pro se litigants in navigating the judicial system. The Pierce County Superior Court provides facilitators, pamphlets, and brochures as to procedures and pleadings. We need to lean on our local Bar to provide more robust pro bono service for civil cases. Our Court can facilitate programs such as Pro Bono Legal Clinic and “Peoples’ Court” to help educate the public about the processes of the judicial system. Our Court is in the process of developing short video explanations of various legal procedures which will be available on the Superior County website.

1. Do you believe the judicial system produces different results for different demographics? If so, what would you do to remedy that problem?

As a lawyer, in my 29 years in private practice, I have observed several barriers to access to justice. Often, I have observed members of the black community express a reluctance to engage in the legal system. I have observed former clients of color forgo viable claims/causes of action due to a distrust in the legal system. Former clients of color would express a belief that without money or the “right” lawyer the system was skewed against them due to the color of their skin. Many felt they could never receive a “fair shake” of justice. I have experienced disparate policing of my former clients of color throughout my career. I have seen disparate and unjust sentencing in criminal cases of persons of color throughout my career.

Part of the remedy to these wrongs is an acknowledgement that the problems exist. Speaking with my judicial colleagues about these issues and encouraging them to identify their implied biases can be a step in the direction of change. Promoting diversity and inclusion throughout our own Court will assist. Educating the bench through formal training can prevent much of the abuse. Promoting programs which reduce the barriers to access to justice. One of the major contributing barriers is the high cost of legal advice and representation. Promoting pro bono programs through our courts can help reduce some of those barriers.

1. Do you believe there is a problem with the way legal financial obligations (LFOs) or other costs and fines are currently imposed upon criminal defendants? If so, what would you do to remedy that problem?

I continue to believe that the imposition of significant LFOs creates a significant hardship for indigent defendants and severely hinders their ability to reintegrate into society. Prior to the State v. Blazina, 182 Wn.2d 827 (2015) decision, the Court was without the authority to waive all nonmandatory fines and cost (LFOs). Since the Blazina decision, the Court can waive all nonmandatory LFOs. Still, even the imposition of mandatory fines and other assessments continue to present barriers to integration. Our Court has participated in LFO “Forgiveness” programs and will continue to do so in the future. Recent legislation has also made significant inroads to waiving all previously imposed fines and costs against juvenile respondents in criminal cases.

1. 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?

I strongly support the use of alternative dispositions in criminal cases. As an attorney in private practice, I would often advocate for resolutions of criminal charges in a manner which addressed the underlying substance abuse issue or mental health issue of the defendant rather than incarceration. Pierce County Superior Court has a robust alternative Specialty/Treatment Courts. I would advocate for additional resources from the County for increased eligibility, strict monitoring, and additional after-care for participants.

1. How would you approach any caseload or court congestion issues?

I would advocate for a designation of resources to address the specific caseload or court congestion. The Superior Court currently allocates a specific number of judges to an assigned area of the law for a defined period of time. A readjusting or reallocating of judges to an alternative area of law to address the backlog will increase the opportunities of parties to try their case. For example, 7 judges are assigned to Criminal law rotation and 7 judges are assigned to civil case rotations each year. By re-allocating several judges to the alternative area will free up more courtrooms to try cases. I would also advocate mandatory settlement conferences assignment for judges to assist in the potentially resolving civil and family law cases. I would also advocate for a designated once per month night court to assist in addressing the backlog in family law cases. I would also seek to increase the availability of Court Commissioners to try cases on a as needed basis.

1. Is there anything else you would like to share with the Committee?

Experience matters. I have dedicated 33.5 years of my career to the service of the citizens of Pierce County. My unparalleled breadth of experience, my reputation of preparedness, knowledge of the law, and unwavering integrity caused the 23 Pierce County Superior Court Judges to select and appoint me as a Court Commissioner in 2019. I have continued to distinguish myself on the bench with my impartiality, independence, and integrity. I am committed to breaking down the barriers to access to justice for all citizens and ensuring all voices are heard before the Pierce County Superior Court.