



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	6	Name:	Sam Porter
Proposed No.:	2021-0056	Date:	March 3, 2021

SUBJECT

Proposed Motion 2021-0056 would make an appointment to fill a judicial vacancy in position number five of the West District of King County District Court.

SUMMARY

There is a judicial vacancy in the West District of King County District Court Position 5. Under state law¹ the King County Council, as the county legislative authority, is directed to fill district court vacancies by appointment. The King County Code² provides a merit selection process for filling such vacancies.

In its current form, Proposed Motion 2021-0056 has a blank for the name of the person being appointed. A verbal amendment will be needed to insert the name of the selected appointee.

BACKGROUND

District Court is the County's court of "limited jurisdiction" and has responsibility for traffic infractions, small claims, and misdemeanor criminal offenses in the County's unincorporated areas, cities that do not have municipal courts and contract with the court to provide those services, and for the adjudication of "state" offenses (violations of state statute in the county or when the arresting agency is the Washington State Patrol or other state law enforcement agency). Approximately 134,000 cases were filed with the Court in 2020.

Position 5 in the West Electoral District was made vacant by the retirement of Judge Anne Harper. After receiving official notice of the vacancy from District Court Presiding Judge Susan Mahoney, the Clerk of the Council published notice of the vacancy and judicial appointment application process in The Seattle Times. The deadline for the recruitment was January 21, 2021. In accordance with state law, the judge appointed through this process will serve until their successor is elected and qualified in the 2022 general election.

¹ RCW 3.34.100

² KCC 2.70

ANALYSIS

In accordance with the merit selection process outlined in KCC 2.70.020, by the application deadline, eligible candidates must submit:

1. A current rating of, at a minimum, “qualified” for a district court judicial position from the King County Bar Association and at least one other eligible³ bar association operating in King County;
2. A letter of interest and résumé;
3. A copy of the completed responses to questionnaires submitted to the King County Bar Association to obtain its rating; and
4. Any supporting information the individual would like the council to consider.

Four eligible individuals submitted applications. The applicants were, in alphabetical order:

- Kuljinder Dhillon
- Jill Malat
- Rebecca Robertson
- Kristin Shotwell

Pursuant to KCC 2.70.020.G.1.b(3) the Chair of the Committee of the Whole (COW) determined the process by which the committee would receive recommendations for selecting the appointee. Chair McDermott coordinated subcommittee interviews for each of the applicants, which occurred on February 24 and 26, 2021. The subcommittee members included Councilmembers McDermott, Kohl-Welles, and Zahilay. Pursuant to KCC 2.70.020.G.2.b, the Committee would need to make a parliamentary motion to narrow the field to the finalists recommended by the subcommittee for final interviews.

Three candidates were advanced from the subcommittee for consideration at the Committee of the Whole. Current bar association ratings for the final candidates recommended by the subcommittee can be seen in Attachment 2 to this staff report, and brief bios for the final candidates appear below in alphabetical order.

Kuljinder Dhillon has served as a judge pro tem in King County District Court since October 2018. Since 2017, Ms. Dhillon has served as a principal for Dhillon Legal, where she provides private representation for juvenile and adult clients. Ms. Dhillon previously served as a staff attorney for King County's Department of Public Defense in the Society of Counsel Representing Accused Persons division for more than 14 years.

Rebecca Robertson has served as a judge for the Federal Way Municipal Court since 2010 and helped to establish the Federal Way Community Court in 2018. Ms. Robertson also serves as a commissioner pro tem for King County Superior Court

³ Eligible bar associations must have a judicial evaluation process that is open to any candidate who is eligible under state law for appointment to the district court; and written procedures and criteria governing its judicial evaluation process and makes copies of such procedures and criteria available upon request.

where she oversees juvenile cases, Child in Need of Services hearings, felony plea and sentencing calendars, felony first appearance calendars, and anti-harassment order petitions. Ms. Robertson previously served as a hearing examiner and assistant city attorney for the City of Seattle and as an assistant attorney for the City of Kent.

Kristin Shotwell has served as a judge pro tem in King County District Court since 2017, where she presides over criminal traffic cases, infractions, name change petitions, anti-harassment and domestic violence no-contact orders. Since 2010, Ms. Shotwell has served as a Defense Attorney for the King County Department of Public Defense. Ms. Shotwell has over 24 years of work experience in the social services field and is interested in reducing the recidivism rates.

The Committee of the Whole would need to make a final recommendation for appointment, as provided in K.C.C. 1.24.055.D., to full council through a motion. In its current form, the motion has a blank space for the name of the person being appointed. A verbal amendment will be needed to insert the name of the selected appointee.

ATTACHMENTS

1. Proposed Motion
2. Final Candidate Bar Association Ratings, dated February 26, 2021
3. Judicial evaluation process for the King County Bar Association