

Judge Grant's Retirement - Additional Information

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To: Barry Buchanan <BBuchana@co.whatcom.wa.us>

Cc: Dana Brown-Davis <DBrown@co.whatcom.wa.us>; Bruce Van Glubt <BVanglub@co.whatcom.wa.us>; Matthew Elich <MElich@co.whatcom.wa.us>; Eric Richey <ERichey@co.whatcom.wa.us>; Philip Buri <philip@burifunston.com>; emily@butlerbeschenlaw.com <emily@butlerbeschenlaw.com>

Mr. Buchanan:

I've realized it might be helpful to provide you and the Council with some additional information that may assist you in responding to my retirement. First, as I mentioned in my notice letter, the Court is in a good position now and well equipped to handle my departure. There is certainly no need to name a replacement for me by July 1st. The Court has two remaining full-time judicial officers, one judge and a commissioner. While we have restarted jury trials, we can only do one jury trial per week (*see*, Admin. Order 2021-03, Resumption of Jury Trials). With the use of *pro tempore* judges on a part-time basis (we have about a dozen well-qualified *pro tempore* judges available), all of the needs of the Court can be met. Since my salary will cease, the fiscal impact of using temporary substitutes should be negligible as well. Essentially, even if all COVID related restrictions were suddenly lifted, I am confident the Court can accommodate my absence for a number of months. I can assure you, the Court can give you whatever time you need.

Having said that, the Council may wish to consider incorporating some components of the various judicial qualification processes used elsewhere around the state. For example, the Governor's Office and the King County Bar Association have developed formalized judicial candidate vetting processes, complete with application questionnaires and interview topics. Samples of their forms are no doubt easily obtained. Additionally, in the past, the Whatcom County Bar Association has volunteered input on local judicial candidates. I am sure the Whatcom County Prosecutor's Office could provide you guidance on whether such a process could be used here, and if so, to what extent. We are fortunate that our county has active local chapters of both the State Bar Association (its current president is Phil Buri, Esq.) and the Washington Women Lawyers (with Emily Beschen, Esq. as its president). I imagine you could explore with Mr. Richey how such local resources might be incorporated into your process.

Obviously, I have seen this process before and I know questions arise. When they do, I am sure Mr. Richey can be depended upon to assist, and I am confident that the local chapters of our state bar associations would help too. Additionally, if you have any need for further information from me or the Court, please don't hesitate to contact me or Bruce Van Glubt. We are ready to assist as we can. You and the Council have the time to explore your options in crafting the full and thorough appointment process you no doubt prefer.

Sincerely,

Dave Grant

Presiding Judge

Whatcom County District Court