

Oregon State Bar Judicial Voters Guide 2010

1) Your full name:

William A. Marshall

2) Office Address and Phone Number:

1036 SE Douglas, Courtroom 401

Roseburg, Oregon 97470

541 957-2408

3) Web site (if applicable):

BillMarshallForJudge.us

4) List high school, college and law school attended, including dates of attendance, degrees awarded and your reasons for leaving each school if no degree from that institution was awarded.

Laurelwood Academy, 1969-1973

Linn-Benton Community College, 1973-1974, transferred.

Walla Walla University, 1974-1977, B.A. in Business

Willamette University College of Law, 1977-1980, JD.

5) List employment since graduation from law school, including dates employed, your position and the nature of the practice or activity.

1980-1987 Curry County Deputy District Attorney

Criminal Prosecution

1985-1987 County Counsel for Curry County

Civil Legal advice to Curry County and its departments.

1987-1988 Douglas County Deputy District Attorney

Criminal Prosecution

1989-2007 Douglas County Chief Deputy District Attorney

Primarily complex criminal prosecution. In addition to trials and resolution of criminal cases, duties included responding to public records requests, drafting ballot titles, advising police agencies, assisting with Major Crimes Team, Elder Abuse Multi-Disciplinary Team and Child Abuse Multi-Disciplinary Team, responding to Extradition and Interstate Compact issues, Clemency matters, Expungement applications, management and mentoring of deputy district attorneys and staff, and other administrative duties.

2007 thru Current Circuit Court Judge Pro Tem and Juvenile Referee for Douglas County

Full time assignment includes Juvenile Dependency and Delinquency cases and trials, Landlord Tenant trials, daily criminal arraignments, Small Claims trials, Civil Commitment trials, Probate cases, and Domestic Relation cases, Civil cases, Criminal misdemeanor and felony cases.

6a) List state and federal bars, courts and administrative bodies to which you are presently admitted and the date of admission.

Oregon State Bar, 1980

US District Court for Oregon, 1987

9th Circuit Court of Appeals, 1987

6b) List any previous admissions, including dates, and the reason why you are no longer admitted.

N/A

7) List publications and/or articles you have authored.

N/A

8) List community, teaching (Continuing Legal Education or otherwise) or civic activities.

Numerous presentations to community groups and Senior Citizen Groups regarding subjects as varied as Juvenile law and issues of identity theft Casa De Belen, Board member

Juvenile Court Improvement Project Statewide Age Appropriate Consultation Project, Oregon Judicial Department , 2008-current

Douglas County Perinatal Taskforce Leadership Team, 2008-current

Douglas County Neighbor to Neighbor Mediation Training, 2008

Mumblepiece Theatre, CASA Training, 2007-Current

Presenter, Heart Gallery, Douglas Branch DHS, Child Welfare Division, 2008

Douglas County Commission on Children and Families, 1997-2007

Instructor, Oregon Chapter, International Association of Arson Investigators

Instructor in Trial Practice, Oregon District Attorney's Association, 1990-2004

Education Panel on Grand Juries, Oregon District Attorneys Association

Education Panel on Capital Litigation, Oregon District Attorneys Association 1985

Education Panel on Technology in the Courtroom, Oregon District Attorneys Association

Roseburg High School Mock Trial Team, Assistant Coach, 1992-1993

Relay for Life, Volunteer, 1994-1996

Red Cross Blood Drive Organizer, Gold Beach, Oregon 1985-1987

Project Prom Night, Substance Abuse and Driving Education

Teen Leadership Training, 2001-2006

Roseburg Junior Academy, Board Member, 1995-Current

North Pacific Union Conference Constitution and Bylaws Committee, 2005-Current

Josh Bidwell Golf Tournament for Fellowship of Christian Athletes, volunteer, 2006

Knoxtown Sanitary District, Gold Beach, 1983-1987

Central Curry Ambulance Association, Board of Directors, 1983-1987

Roseburg Kiwanis

Albany Jaycees, 1979-1980

9) Prior to your becoming a judge, what was the general character of your legal practice? Indicate the nature of your typical clients and mention any legal areas in which you concentrated.

Prior to becoming a judge I was a member of the staff of the District Attorney in two counties. The main practice was criminal prosecution. In addition to trials and resolution of criminal cases, duties included responding to public records requests, drafting ballot titles, advising police agencies, assisting with Elder Abuse Multi-

Disciplinary Team and Child Abuse Multi-Disciplinary Team, responding to Extradition and Interstate Compact issues, Clemency matters, and Expungement applications.

10) List your judicial experience, including as a pro tem, and/or service on an administrative tribunal, or justice, municipal, tax, circuit, or appellate court.

I have served for over three years as Circuit Court Judge Pro Tem and Juvenile Referee for Douglas County.

11) Describe the general character of your judicial work over the past five years. Indicate the nature of the cases over which you preside, any specialty courts or court programs, and any legal areas in which you concentrate.

In the capacity as Circuit Court Judge Pro Tem and Juvenile Referee for Douglas County, the fulltime caseload includes Juvenile Dependency and Delinquency cases and trials, Landlord tenant trials, daily arraignments, Small Claims trials, Civil Commitment trials, Probate cases, and Domestic Relation cases, Civil cases, Criminal misdemeanor and felony case. Not including the minor traffic and violations, I have conducted over 150 trials as judge.

12) Describe any judicial experience in appellate courts not included above.

N/A

13) State the approximate number of trials or contested hearings over which you have presided as the judicial officer during each of the past five years. Indicate roughly how many were jury trials and how many were trials to the court.

150 trials, 2 jury trials as judge.

14) Describe any experience serving as an arbitrator or mediator.

N/A

15) List all bar association memberships, offices held and committee assignments.

Douglas County Bar, Secretary, Vice-President, President, early 1990's

16) Describe any bar association or judicial department committees, task forces, or special projects in which you have been involved.

2000-2001	State Bar "Gatti committee", re-draft DR 1-102
2005-2006	Criminal Model Court, Caseflow Management Improvement Project, Oregon Judicial Department
2008-Current	Juvenile Court Improvement Project Statewide Age Appropriate Consultation Project, Oregon Judicial Department

17) Have you ever been convicted of or pleaded guilty to a violation of any federal, state, county or municipal law, regulation or ordinance? If so, please give details. Do not include parking offenses or traffic violations for which a fine of less than \$500 was imposed.

No

18) Have you ever been the subject of a formal disciplinary proceeding as an attorney or judge? If so, please give the particulars and the result. *Include formal proceedings only.*

No

19) What attracted you to a judicial career?

I have never been one of those individuals who always aspired to be a judge. In my professional career I have always endeavored to be the best at what I was performing. From my first job as a lawyer I was honored to work among lawyers and judges who fostered a mentoring, collegial atmosphere that taught me the art of being an excellent attorney. I have endeavored to do the same.

Several years ago I was asked by a broadly experienced group of lawyers to consider submitting my name for a judicial position. I was honored and humbled by that request. Since that time I have considered that opportunity as part of professional growth. After extensive experience in trying the most complex factual and legal issues as a lawyer, I was selected and appointed a Circuit Court Judge Pro Tem/Juvenile Referee. My experience in that position has added to the experience that I gained as a trial attorney; giving me the kind of background that will be of the greatest benefit to the legal community and society in general.

I have brought to the bench the same work ethic that I have applied to my caseload. With the growing burden of increasing number of cases, a judge must have that work ethic. There is a great need to find a skilled, practiced lawyer to serve as a judge. I have those qualifications and am suited for that position.

Citizens should expect that kind of broad, lengthy, and practical experience in the courtroom from someone who is elected as a judge.

20) Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

The judge's role is to decide legal or factual issues put before him or her by the parties to a case. It is not the role of a judge to insert issues into a case that the parties have not submitted to the court. At the same time the judge is responsible to ensure that the rights of the parties are protected and the law is upheld. A judge should be interpreting the law as adopted by the people or the legislature. A judge should not be substituting his or her political judgment for that of the people or the legislature.

A judge must have a great depth of knowledge of the law and experience in handling cases in court. It is only through that repetitive exposure to the most complex legal and factual issues over an extended professional experience that judges are able to render the judgments that litigants and society deserve. In addition to that level of knowledge and experience, a good judge must have common sense, humility in dealing with people, ability to communicate in writing and orally, and, most of all, a good sense of humor.

21) Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

Among the many complex cases that I tried in over twenty five years it is difficult to choose one case or issue over the rest. However, one of the greatest compliments that can be given to a trial attorney is that the attorney handled a hard case vigorously and with professionalism towards others. During the successful trial of such a murder case, an editorial writer for the Oregonian observed:

"The adversaries, Deputy District Attorney Bill Marshall and defense attorney Nick Nylander, managed in dealing with each other to avoid the strained relations that often entangle lawyers trying major cases in Portland. This civility speeded the trial by eliminating time spent on side issues and lawyer squabbles."

That could only be accomplished by having great ability in the law, great preparation, a great work ethic, and temperament to avoid the personal issues that tend to antagonize. I am honored by the citation.

While serving as a judge for the past three years, I have endeavored to deal with the parties to cases before me in the same way.

22) Briefly describe an issue, related to Oregon's justice system, that is of particular interest or concern to you, or that you have interest in working toward improving.

The caseload for Oregon judges, and especially Douglas County judges, is growing rapidly. In order to appropriately administer justice in that situation judges and administrators must work together to find alternatives to litigating every issue, dealing with underlying issues, and eliminate repetitive hearings or cases. Douglas County judges and lawyers have made great efforts in dealing with some of these issues by creating family court, drug court, domestic violence court, and other alternatives to the traditional

courts. More can be done to improve the service to the community and parties to cases.

23) Briefly describe a legal figure, personal, fictional or historical, whom you admire and why.

I greatly admire Abraham Lincoln not merely for the great political accomplishment he achieved for the country, but more for his ability as a lawyer to deal with judges, other lawyers, and parties to a case with compassion and a sense of humor. In reading numerous biographies of Lincoln it is clear that he was well versed in the law; had the ability to humanize a legal issue; and thus make it more understandable.

24) State any other information that you regard as pertinent to your candidacy.

Voters should make the decision on who has the greatest depth of experience in the law, both as a lawyer and a judge, and in protecting victims.