

MINUTES

SPECIAL COUNCIL MEETING
OF
JANUARY 13, 2011
NOON

SECOND FLOOR CONFERENCE ROOM
CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING:	Mayor Jim Wilcox
COUNCIL PRESENT:	Bill Dick, Carolyn Wood, Brian Ahier (by telephone), Tim McGlothlin, Dan Spatz
COUNCIL ABSENT:	None
STAFF PRESENT:	City Clerk Julie Krueger

CALL TO ORDER

The meeting was called to order by Mayor Wilcox at 12:00 p.m.

APPROVAL OF AGENDA

It was moved by Spatz and seconded by McGlothlin to approve the agenda as presented. The motion carried unanimously.

Councilor Dick declared a potential conflict of interest because one of the candidates was his law partner. He said he would not participate in the discussions and would not vote on the selection of the Judge or Judge pro-tem.

MUNICIPAL COURT JUDGE INTERVIEWS

The following were interviewed for the position of Municipal Court Judge and Judge pro-tem positions:

Linda Gouge
Meredith Van Valkenburgh
Thomas Peachey
Jason Corey
William Howell

Summary of Comments by Linda Gouge

Ms. Gouge said she saw the position as a challenge she would like to experience, that she enjoyed intellectual work and would possibly bring a new perspective to the position. She said she might be less rigid than the other candidates and would keep arguments in the court room impersonal. Gouge said her practice was oriented toward criminal law and she had a good understanding of the process. She said she could be objective, but would ask a Judge pro-tem to take any cases where she would have a personal conflict. Gouge said she would prefer to serve as the Municipal Judge but would also be interested in serving in the pro-tem position. She said she had no reservations about working with any of the other candidates. Gouge said she did have experience in mediation from her experience working for Multnomah County hearing cases regarding animal control issues.

Councilor Ahier retired from the meeting at 12:38 p.m.

Summary of Comments by Meredith Van Valkenburgh

Mr. Van Valkenburgh said he was less involved in his practice and would have more time to devote to the position of Municipal Court Judge. He said it was a worthy project. Van Valkenburgh said he had many years experience in criminal law, including prosecution and defense work and noted he had served as a juvenile judge in the past. Van Valkenburgh said it was the duty of a judge to hear all cases and part of living in a small town included the fact that a judge would know many people who were in his court. He said if he did have a personal conflict, he would ask a pro-tem judge to take a case. Van Valkenburgh said he had an interest in both the judge and pro-tem positions and would have no difficulty working with any of the other candidates. Regarding experience with mediation, Van Valkenburgh stated his past work as a juvenile judge provided mediation experience. In response to a clarifying question, he noted he did not have any pending discipline issues with the State Bar.

Van Valkenburgh said he had tried cases in many small communities and said he did believe a Municipal Court Judge could impact policy by recognizing trends in crime and responding through sentencing. He said it was important to have a positive relationship with local police and that mutual respect was also important.

Recess

Mayor Wilcox recessed the meeting at 12:50 p.m.

Reconvene

The meeting reconvened at 12:56 p.m.

Summary of Comments by Thomas Peachey

Mr. Peachey said serving as a judge was the highest public service an attorney could perform for their community. He said municipal court was very important and many people who had cases in the municipal court were having their first encounter with the court system at that level. Peachey said his level of experience was nearly unmatched compared to the other candidates. He said he had served as a prosecutor and defended over 900 cases. Peachey said he had also served as an arbitrator, hearing over 50 cases. Peachey said respectful listening was very important as well as being impartial and fair. He said people could handle bad news as long as they had been treated respectfully and fairly. Peachey said he was willing to commit to serve as Municipal Court Judge for 10 years.

Peachey said it was expected in small towns that a Judge would know many of the people who entered the court room, but that he could be fair. He said it was possible that he may not be able to handle cases involving friends or family, but that he would ask a pro-tem Judge to take cases where he had a conflict. Peachey said he would prefer to serve as the Judge, but would also be willing to serve in the pro-tem position and would have no difficulty working with any of the other candidates.

Councilor Dick retired from the meeting at 1:10 p.m.

Recess

Mayor Wilcox recessed the meeting at 1:10 p.m.

Reconvene

The meeting reconvened at 1:48 p.m.

Summary of Comments by Jason Corey

Mr. Corey said he viewed serving as Judge as a civic opportunity and that he could help educate people so they did not repeat bad behavior. He said he had worked in both prosecution and defense and had a very well rounded viewpoint of criminal law. He said he was a good listener and listened to an entire explanation. Corey said he would not shy away from the responsibilities of the position because he was acquainted with people, but said there could be an occasion in which he might ask a pro-tem to hear a case if he had a personal conflict. Mr. Corey said he would prefer to serve in the Judge position instead of the pro-tem position and said he would not have a problem working with any of the other candidates.

Mr. Corey said he did not have prior experience related to mediation, although he had worked with negotiators in the past. He said he worked well with the legal community and serving as Municipal Judge would be an easy transition for him. Corey noted he spoke fluent Spanish, which he believed could be an added benefit to the Court.

Summary of Comments by William Howell

Mr. Howell said he was a sole practitioner, with 90% of his case load being criminal law and defense work. He said the Judge position would supplement his practice financially. Mr. Howell said he had 20 years experience in criminal law, drug court and family dependency court work. He said he would not let personal relationships interfere with his responsibility as Municipal Court Judge in applying the law. Howell said if he did have any personal conflicts, he would ask the pro-tem judge to step in. He said he was interested in both the judge and pro-tem positions and that he had no concerns about working with any of the other candidates. Mr. Howell said he did not have any experience with mediation.

Councilor Dick in attendance at 2:25 p.m.

Mayor Wilcox asked the Councilors to rank their first, second and third choices for each position and to turn them in to the City Clerk for tabulation. The City Clerk was directed to provide the compilation to the City Council for the purpose of deliberations at the January 17th City Council meeting.

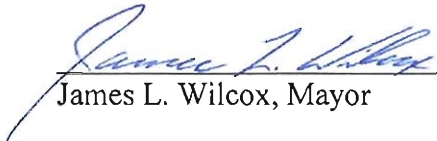
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ADJOURNMENT

Being no further business, the meeting adjourned at 2:34 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:


James L. Wilcox, Mayor

ATTEST:


Julie Krueger, MMC, City Clerk