

Oregon State Bar Judicial Voters Guide 2018

1) Full name:

Rachel L. Kittson-MaQatish

2) Web site (if applicable):

Vote4Rachel.com

3) List college and law school attended, including dates of attendance, and degrees awarded.

Willamette University College of Law Juris Doctorate graduated 2005

**Oregon State University Bachelors of Arts in Business Administration;
Minor in Spanish Graduated Cum Laude 2002**

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

Morley Thomas Law 2011-Present

Partner/Lawyer: City of Lebanon Prosecutor, civil commitment attorney for Linn County, family law advocate, and civil litigation attorney. Supervise and manage law firm with two locations, six attorneys and 10 support staff. Support local community with classroom education, citizen education, and financial donations.

Morley, Thomas & McHill 2008-2011

Associate Attorney: City of Lebanon Prosecutor, family law advocate, civil litigation, estate planning, probate, and real estate attorney.

John Wittwer Lawyers 2006-2007

Associate Attorney: Trust funding, probate administration, landlord tenant, criminal defense, business formation and real estate attorney.

5) List state and federal bars, courts and administrative bodies to which you are currently admitted.

Oregon

6) If desired, list any publications and/or articles you have authored.

N/A

7) If desired, list any community, teaching or civic activities.

Pro Bono for CARDV – Center Against Rape and Domestic Violence
Linn Benton Arbitration/Mediation Commission
Hero Half Marathon Memorial Family Day Celebration Co-Founder
Willamette Street Law Co-Founder
Optimist Member and Past President, earning Distinguished and Honor Club Awards
SHEDG (Sweet Home Economic Development Group) Past Board Member and President
Classroom Lecturer
Citizen Academy Instructor
Past Volunteer Coach and Boys and Girls Club Volunteer
Ford Family Foundation Leadership Cohort Member 2013 – Revitalizing Roy Johnson Sports Field Project
WUCL Pro Bono Honors Program
Strawberrian – Community Representative

8) What is the general character of your practice? If desired, please indicate any legal areas in which you concentrate.

Criminal Law – City of Lebanon Prosecution
Family Law
Personal Injury
Civil Litigation
Mental Health Law - Civil Commitments

9) Describe any litigation practice in the last five (5) years and address both the courts and types of cases.

Substantial litigation experience in the Linn County Circuit Court representing Linn County and the State of Oregon in civil commitments, representing private citizens in family law cases and personal injury cases, and representing the City of Lebanon in appeals of municipal court criminal cases.

Substantial litigation experience in Lebanon Municipal Court representing the City of Lebanon.

10) Describe any appellate court experience not included above.

Representing privately retained clients in family law appeals in the Oregon Court of Appeals Settlement program.

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

None.

12) List any experience you have as a pro tem or municipal judge, and the names of the courts you have served.

None.

13) List any bar association memberships, and if desired, any offices held or committee/project assignments.

Linn-Benton Bar Association Member

14) 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 or parking offenses or traffic violations for which a fine of less than \$500 was imposed.*

No.

15) Have you ever been the subject of a formal disciplinary proceeding as an attorney? If so, please give the particulars and the result. ***Include only proceedings that were authorized for prosecution by the SPRB.*

No.

16) Why do you want to be a judge?

Linn County is my home. I grew up here, raised my children here and have grandchildren here. I have been blessed with opportunities and experience and feel a great sense of debt to Linn County. I am comfortable and thriving in my current practice. I love my partners and our team at Morley Thomas Law. We have six attorneys and 10 support staff. I could finish out my career here and be quite happy and comfortable. However, I have always pushed myself to work harder and feel called to do even more for my community.

I have been blessed to practice my entire career in Linn County. I owe a deep sense of gratitude to the attorneys that mentored me and the Judges that have influenced me. Starting as a single mom fighting to protect my children, to earning a law degree from Willamette University, Linn County has been there to support and encourage me. Along the way, I have learned to

respect the system from varied perspectives, from pro se litigant to professional advocate, the Courts are there to serve us all. More than anything, I appreciate the respect and dignity that Linn County Judges, and members of the bar, have given me at each point in my journey. In large part, my desire to serve stems from the gratitude I have for the citizens of Linn County and the admiration I feel toward the Linn County legal community.

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

Linn County Circuit Court Judges hear all kinds of cases, such as criminal, juvenile, family law and civil litigation. They conduct hearings and trials, requiring an understanding of the litigation process and rules. They must render decisions that adhere to the law. It is important that a new judge have diverse litigation experience.

A judge must be impartial and treat all who enter the courtroom with respect and without bias. Judges should rule with consistency, and timeliness. Judges must have similar skills to a kindergarten teacher. A good judge is patient but moves the case along. A good judge listens so that both parties feel heard and respectfully interacts with all kinds of people; people that vary in education, ability, income, culture and sophistication. A good judge sets expectations for courtroom demeanor, appearance, and preparedness. A good judge also sets expectations that the parties will follow the rule of law, and the attorneys and the pro se litigants will follow procedure. A good judge can move from one case to the next with speed and proficiency. A good judge renders decisions that are consistent with the facts presented and the applicable law. Usually neither side in a law suit is overly pleased with a judge's ruling, or the case would have settled. But with a good judge, the parties walk away more educated about the law, and their responsibilities under the law.

The greatest challenges to our Linn County Circuit Court Judges are time and resources. When cases are triple stacked (all showing up for trial on the same day) the system seems unfair, or at least insensitive to the emotional and financial cost to the litigant. The number of cases that judges hear, and the time in which they have to hear them, impact the ability to have a fair hearing and the parties can feel unheard. Sometimes the ability to tell one's story, and the opportunity to have someone in authority determine if wrong was done, is the most important thing to a party. Time and expense are the biggest constraints to justice.

18) 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.

I represent Linn County and the State of Oregon in civil commitments. Civil commitments occur when an alleged mentally ill person is a danger to

themselves, or the community, or can't take care of their basic needs due to their mental illness. We conduct a hearing to determine if the alleged mentally ill person should be committed to the authority of the State, and if he or she should be hospitalized. I worked with Judge Murphy, the defense consortium, the hospital, and the court staff to change the way we handle civil commitments. We decreased the cost to the County by having video hearings when appropriate. This prevents the alleged mentally ill from being shackled and transported to the courtroom and decreases the stigma for the alleged mentally ill person, saves County resources, and frees up the Linn County Sheriff's resources. This is a joint effort that I am particularly proud of.

19) Briefly describe an issue, related to Oregon's justice system, that concerns you, or that you have interest in working toward improving.

I started out my legal career as a pro se litigant. I was a young mother in a custody battle. Sometimes I could afford representation and sometimes I could not. I had very limited resources. I found my way into the Linn County Law Library and the Oregon Supreme Court Law Library. Some very helpful librarians taught me how to look up the law and read case law.

Litigation is expensive, and at times it should be. It helps parties compromise and settle cases when appropriate to do so. However, everyone should be entitled to justice. There are a lot of people who can't afford attorneys that need access to the legal system. I am interested in helping our court better serve, educate, and inform our pro se litigants. All the advances in technology can be both inundating and helpful to the court. I am excited to see how we can continue to use technology to increase access to justice, especially for those that cannot afford legal representation.

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

I understand that you are asking for a legal figure. However, I will tell you about both a legal figure, and a non-legal figure that I admire, as this will help you know me better.

I admire Larry Johnson. When I was teenager, he was my Athletic Director. I was a pregnant teenager living in a shelter home when he, his wife, Candy, and his boys moved me into their home. He and his wife became my "adoptive" parents and together with my parents led me into adulthood.

Larry serves his community with the kind of service that does not seek attention or accolades. He told me that his job as Athletic Director was to make the coaches job easier and let them focus on coaching. He oversaw scheduling, equipment, referees, setting up the field and the general operations of the athletics. He kept the peace at sporting events, enforced discipline for athletes and set expectations for parents, spectators, athletes and coaches. He continued to volunteer his service in several capacities, even after his retirement.

Rarely have I ever heard Larry say an unnecessary bad word about anyone. He is one of the hardest workers I know. He takes pride in his work, his community, and in treating all people with respect. He is a devoted husband, a loving father, and a generous person. By his kindness, and his ability to see the good in me, he and his family changed my life.

I also admire Linn County Circuit Court Presiding Judge Daniel Murphy. He is retiring, and I have filed for his position. Judge Murphy commands respect, timeliness, and well preparedness by the attorneys that appear before him. He treats pro se litigants, the parties, and the lawyers with respect and renders judgment without bias.

He has taught me the depth of influence the bench has on the community it serves. He follows the rule of law, but he sees far beyond the walls of the courtroom. He contentiously reaches out to partners in the community strengthening relationships with the entities that commonly use our courthouse services. As I campaign, I talk to members of our community about his retirement and how I have filed for his seat. In each conversation I have with those that have interacted with him I walk away more inspired by his influence, and I learn a little more about his impact on our community.

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

I am determined, hardworking, and have the experience and background that demands fairness and impartiality. My diverse legal experience will serve as an advantage as Circuit Court Judge. From City Prosecutor for Lebanon, to representing the interests of Linn County in Civil Commitment hearings, to representing litigants in family law and personal injury cases, I have witnessed both the best Linn County has to offer, as well as the challenges we face from crime and mental illness. I believe my partners at Morley Thomas Law, where we run a firm of six lawyers and ten support staff, would tell you that I am a hard worker, a zealous advocate and committed to fairness in everything I do. I hope to continue my service to Linn County as a Circuit Court Judge and I would appreciate your support.