

Oregon State Bar Judicial Voters Guide 2020

Candidate Questions:

1) Full name:

Stephen K. Bushong

2) Campaign web site (if applicable):

N/A

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

University of Michigan, 1976-1980. B.A. in Economics

University of Michigan Law School, 1981-1984. J.D.

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

Judicial Clerk for U.S. Magistrate Marc L. Godman, Eastern District of Michigan, 1984-85

Miller, Nash, Wiener, Hager & Carlsen, Portland, OR, 1985-93. Associate working on civil litigation and appeals

Sole practitioner, Portland, OR, 1983-94. General civil practice

Oregon Department of Justice, 1994-2008. Assistant Attorney General, Trial Division, Special Litigation Unit, 1994-98. Attorney-in-Charge, Special Litigation Unit, 1998-2005. Chief Trial Counsel, 2005-2008. Civil practice focused on constitutional challenges to state laws and programs.

Multnomah County Circuit Court Judge, 2008 to present. Chief Civil Judge 2013-17. Presiding Judge 2018 to present.

5) List state and federal bars, courts and administrative bodies to which you are presently admitted and the date of admission. If desired, list previous admissions.

Oregon State Bar since 2005.

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

***“Miranda in Oregon—Things are Different Here,”* 53 Willamette Law Review 279 (2017)**

***“Litigating State Constitutional Law Issues,”* Oregon Constitutional Law, chapter 16 (OSB Legal Pubs 2013)**

***“Intervention,”* Oregon Civil Pleading & Practice, chapter 13 (OSB Legal Pubs 2012)**

***“Public Sanctions, Public Liability in Oregon—The Case for Legislative Action and Judicial Restraint,”* 36 Willamette Law Review 911 (2000)**

***“Recent Significant Oregon Cases,”* Oregon State Bar Litigation Journal (regular feature, 1998-present)**

***“Tips from the Bench,”* Multnomah Lawyer, Multnomah Bar Association (regular contributor, 2009-present)**

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

Coach, Franklin High School’s “We the People” constitution team (Classroom Law Project), 2010 to present

Youth Baseball Coach (T-Ball, Little League, Babe Ruth), 1993-2001

Oregon Judicial Conference, “Appellate Update” presentation (with Justice Rives Kistler), 2012-16

Presented at more than 50 CLE programs and seminars since 1995

8) Prior to your becoming a judge, what was the general character of your legal practice? Where appropriate indicate any legal areas in which you concentrated.

At the Oregon Attorney General's office, my practice focused on constitutional challenges to state laws and programs. In private practice, I worked primarily on complex civil cases and some appeals.

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

Circuit Court Judge, Multnomah County Circuit Court, 2008 to present. Served as the court's Chief Civil Judge from 2013-17, and as Presiding Judge from 2018 to present.

10) 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.

As a circuit court judge, I presided over a wide variety of civil and criminal cases. As Presiding Judge, I manage the court's felony and civil cases prior to trial, and serve as the court's liaison to state and local governments and the community.

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

Special Master to the Oregon Supreme Court in *Moro v. State* (PERS litigation), 2013-14

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

Mediated civil and criminal cases in judicial settlement conferences, 2008 to present.

13) List any bar association memberships. Where appropriate, list officer positions, committee assignments or other notable work.

Member Oregon State Bar and Multnomah Bar Association, 2005 to present

Oregon State Bar Uniform Trial Court Rules Committee, 2018 to present

Oregon State Bar Uniform Civil Jury Instruction Committee, 2010-12

Multnomah Bar Association Professionalism Committee, 2009-12 (committee chair 2011-12)

Oregon State Bar Litigation Section Executive Committee, 2004-08

Oregon State Bar Government Law Section Executive Committee, 2005-07

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

Oregon Law Commission member 2012 to present

15) 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.

None

16) 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.*

None

17) What attracted you to a judicial career?

I wanted to serve my community, enforce the rule of law, and have a positive impact on the people who come into my courtroom.

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

A judge's role is to fairly and impartially apply the law in every case, afford procedural fairness and access to justice to everyone, and serve as a leader and role model in the community.

19) 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.

As an Assistant Attorney General, I served as lead trial counsel in *Oregon v. Ashcroft* (lawsuit challenging US Attorney General's attempt to block Oregon's Death with Dignity Act). As a judge, I have presided over 96 civil jury trials (including one class action trial) and 203 criminal jury trials (including a murder case).

20) 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.

I am interested in improving all aspects of the justice system. In particular, I have taken a lead role designing and implementing Multnomah County's Justice Reinvestment Program, which has successfully diverted hundreds of defendants from prison without sacrificing community safety.

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

Justice John Paul Stevens because of his integrity, intellect, and respect for the rule of law.

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

I have done my best to serve my community as a circuit court judge for the past 12 years, and would appreciate the opportunity to continue serving. I promise to do my best to fairly and impartially follow the law, treating every individual who comes into my courtroom with dignity and respect. Thank you.