

Oregon State Bar Judicial Voters Guide 2020

1) Full name:

Kamala H. Shugar

2) Campaign web site (if applicable):

n/a

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

Juris Doctor, University of Oregon School of Law **1996**

Bachelor of Arts, University of Oregon **1993**

- Political Science
- Journalism - Public Relations

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

OREGON DEPARTMENT OF JUSTICE

Special Counsel to Attorney General Ellen F. Rosenblum **2017-2019**

Advised on legal matters related to policy, legislation and litigation

Assisted with external communications

Native American Affairs Liaison for the Attorney General's office

Legal advisor to Governor's Counsel on Tribal Relations

Liaison to other State Attorneys General and Staff

Assistant Attorney in Charge **2006-2017**

Civil Enforcement Division, Child Advocacy Section

Supervised a team of 10-15 Assistant Attorneys General providing legal advice and litigation services for juvenile dependency and termination of parental rights cases.

- Strong working relationships with diverse constituencies, including courts, juvenile departments, district attorneys, DHS, CASA and defense attorneys in 16 southwestern Oregon counties
- General Counsel advice to DHS Child Welfare administration for legislation, policy and administrative rules involving: termination of parental rights, adoptions and guardianships, international law and immigration, foster care and rights of relatives, child abuse/neglect fatalities and serious injuries, public records requests and government transparency

UNIVERSITY OF OREGON SCHOOL OF LAW **2013-2018**

Adjunct Assistant Professor

Professor of record for two upper level courses. Supervised an externship.

- State Administrative Law: a substantive bar course including a graded final essay exam testing working knowledge of Oregon Administrative Procedures Act, case law, public records and meetings and related agency law.
- Legislative Issues Seminar: a practical hands-on internship course for law students who spend the semester immersed at the Oregon Legislature, brought in keynote speakers involved in legal work connected to the lawmaking process.

LANE COUNTY DISTRICT ATTORNEY

1996-2006

Deputy District Attorney

- Tried over 50 criminal jury trials, numerous additional bench trials, contested hearings and litigated motions as lead counsel.

Deputy DA, *Juvenile Division*

2004-2006

- Litigated all juvenile dependency and delinquency cases in Lane County.
- Developed effective relationships with juvenile defense attorneys, the court, DHS and Department of Youth Services.
- Prosecuted person felonies including sexual abuse, racial intimidation and complex arson cases.

Team Leader, *Misdemeanor & Domestic Violence Division*

2001-2004

- Supervised a team of 7 domestic violence and misdemeanor prosecutors and 5-7 law students.
- Litigated misdemeanor and felony domestic violence cases.
- Advocated for the DA's policies on domestic violence in community.
- Trained all 9 Lane County police agencies on criminal investigations, search warrants, domestic violence and child abuse first responses.

Deputy DA, *Felony and Misdemeanor teams*

1996-2001

- Prosecuted felony and misdemeanor crimes including burglary, robbery, identify theft, drugs and serious Measure 11 person crimes and domestic violence child sexual abuse cases.
- Advised and trained law enforcement regarding search and seizure law, interviews and investigations.
- Partnered with Lane County law enforcement agencies to improve county-wide response to domestic violence, developed training for police officers and promoted the DA's policies in the community.

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, 1996

U.S. District Court, District of Oregon, 2004

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

OSB Juvenile Dependency Deskbook, OSB 2017 Edition

(Chapter 5: Investigation, Assessment, and Initial Response to Child Abuse)

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

Civic and Community Activities:

- Commissioner, Oregon Government Ethics Commission **2017-2019**
Nominated by Speaker and appointed by Governor and
Confirmed by Oregon Senate
-Review and decide cases before the commission.
- Eugene Round Table Club **2016-present**
-Member of "town and gown" organization that facilitates an
exchange of ideas between faculty and administration of the University
and professionals in the greater Eugene-Springfield community.
-Delivered a paper on "*The Initiative and Referendum in Oregon.*"
- Statewide Co-Chair of Campaign for Equal Justice for Oregon **2014-2016**
-Supported statewide efforts to raise funds for legal aid
- Oregon State Bar Legal Services Program Committee **2013-2019**
Chair, Secretary, Member
-Reviewed, assessed and supported legal aid programs in Oregon
- Campaign for Equal Justice, Lane County Steering Committee **2010-2019**
Co-Chair, Member
-Organize strategic outreach to Lane County attorneys to support CEJ
-Educate local leaders about value of legal aid services, fundraising.
- Lane County Bar Association Mentoring Committee **1996-2013**
Chair, Member
-Facilitated annual pairing of first-year law students and experienced
attorneys for mentorship and career counseling.
- Eugene Village School Board of Directors **2006-2010**
Secretary, Member
-Served on board of public charter school
-Coordinated with Eugene 4J administration and board members.
- Lane County Strategic Plan Steering Committee **2004-2006**
-Engaged in strategic planning with representatives from
all county constituencies.
- Lane County Domestic Violence Council **1997-2004**
-Established bylaws for newly formed council and a lasting vision for
council's role in the community.
-Collaborated with community partners to form a fatality review team.

Education and teaching activities for the legal community:

- Presenter **2018**
Federalism Cases CLE
-Led panel of Oregon DOJ attorneys on federalism cases
brought by Oregon against the administration.

- Presenter and Moderator **2013, 2014**
OCDLA and JCIP Juvenile Law CLE
-Moderated a collaborative two-day statewide conference for members of the juvenile bar including state, attorneys for parents and children, CASA and CRB.
-Presented with other practitioners on substantive legal matters.
- Mandatory Child Abuse Reporting CLE Presentation **2010, 2014**
Lane County Bar Association
- Faculty, National Child Protection Training Center **2010**
Child Protect Conference in Winona, Minnesota
-Trained attorneys from across the nation on child protection cases.
- Lecture, Oregon State Bar Family Law Section **2009**
Obtaining Confidential Records from Child Welfare
-Presented to 500+ attorneys on confidentiality of child welfare records.
- Instructor, ODAA and Oregon Department of Justice **2000-2016**
-Trained attorneys from around the state on trial practice and domestic violence prosecution.
- Faculty, National Advocacy Center & American Prosecutor Research Institute **2002**
Family Violence Conference in Columbia, South Carolina
- Faculty, National College of District Attorneys **2002**
Domestic Violence Conference in Chicago, Illinois
-Provided two lectures at large national conference on domestic violence prosecution to over 500 attendees.

Volunteer work at University of Oregon School of Law:

- Guest Lecturer, State Administrative Law **2012, 2013**
- Trial Practice Seminar **2012**
- Guest Lecturer, UO School of Law **2006-2018**
Elder Abuse, Domestic Violence, Trial Practice, Prosecution Clinic, Professional Responsibility, Child Abuse, Adoptions
- Mock Judge, UO School of Law **2006-2017**
Legal Research & Writing, Appellate Argument, Trial Practice

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.

Tribal Law, Administrative Law, Juvenile Law, Government Transparency and Public Records, Criminal Law

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.

Lane County Circuit Court, 2019-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.

General Jurisdiction, Criminal Team, Protective Orders, Landlord/Tenant, Family Law.

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

n/a

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

n/a

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

See above.

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

OJD Communications Committee, 2019-present.

OSB Legal Services Program Committee, 2013-2019.

Lane County Bar Association 2006-present (details above).

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.

No.

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.*

No.

17) What attracted you to a judicial career?

Serving the public, protecting the safety of our community and safeguarding the rights of litigants.

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.

I believe that justice and fairness are of utmost importance for all judges, and that we must seek to consistently uphold the rule of law. During COVID 19, our ability to provide a forum for cases to be heard and justice to be delivered has been severely hampered. Some cases are deferred completely, others are heard by different means, by video conference or by telephone. One of the greatest challenges is to hear a case remotely, by telephone or video. The quality of connection is sometimes poor and the ability to evaluate witnesses can be limited. In these cases, it is more important than ever for litigants to understand the process and what is happening remotely in the court hearing, as non-verbal cues are often lost, or non-existent. Throughout this time, I have endeavored to be sure litigants are heard, understand the process, and have an opportunity to speak and participate fully in their day in court.

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.

When I served as a supervising attorney for child welfare cases, I once handled a case in a remote county, for an attorney on our team who was unexpectedly ill. The mother whose rights were being terminated struggled with many serious challenges, including mental health and intellect. The facts of the case were quite egregious, with severe neglect and testimony from many professionals detailing the neglect. When the mother testified, she simply could not come to terms with the reality of her circumstances, and her testimony was obviously untrue. Instead of confronting her with her lies, I opted to let the record speak for itself, and point out the inconsistencies at argument. At the end of the trial, the visiting judge complimented me on my restraint and respect for the mother, and appreciated us allowing her to retain her dignity, despite the heartbreaking outcome.

This case captures my philosophy and temperament, seeking to help individuals, even in difficult or extreme circumstances, retain dignity while still ensuring fairness and justice are served.

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.

Self-represented litigants make up a significant portion of the cases before the Circuit Courts. Ensuring the justice system is accessible to self-represented litigants is a priority. This includes providing easy to access forms, easy to navigate websites, and generally making the experience in the courtroom clear and understandable for everyone who appears.

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

The late Attorney General Hardy Myers first hired me as an assistant attorney in charge at the Oregon DOJ. Throughout the years I had the privilege to work for him, I came to admire his high regard for professional ethics, his decorum and stature as a statesman and former Speaker of the Oregon Legislature, and his deep love for the state of Oregon and the gift of public service. Whether in a courtroom, a legislative hearing, or a stakeholder meeting, he held himself and all of us to the same high standards, demonstrating respect for people in all walks of life, a commitment to process and fairness, and a devotion to good public policy.

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

n/a